

0698

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Fanning, Thomas

**DATE:**

12/07/86



2342

POOR QUALITY ORIGINAL

0699

No 13.

Counsel,

Filed

Pleads,

Dec 1886

Witnesses:  
Bernard Froelich  
Officer Heffernan

THE PEOPLE  
vs.  
Thomas Fanning

Burglary in the Second Degree.  
[Section 498, Penal Code]

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

J. W. Donahoe  
Foreman  
J. P. [unclear]  
S. J. [unclear] three years.

POOR QUALITY ORIGINAL

0700

Police Court—X District.

City and County }  
of New York, } ss.:

of No. 171 East 61<sup>st</sup> Street, aged 42 years,

occupation Tailor being duly sworn

deposes and says, that the premises No 171 East 61<sup>st</sup> Street,  
in the City and County aforesaid, the said being a tenement

and which was occupied by deponent as a dwelling  
and in which there was at the time a human being, by name Bernard Fralich

were BURGLARIOUSLY entered by means of forcibly turning  
the lock on & opening a door  
leading to Deponent's apartment  
in a 1<sup>st</sup> premises

on the 30 day of November 1888 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

clothing, jewelry, & silverware  
of the value of about six  
hundred dollars \$600.00

the property of Mrs. Fralich deponent's wife, of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Thomas Fanning (now here)

for the reasons following, to wit: That at the time  
times deponent found defendant  
in said apartment in said  
premises. That defendant  
was not authorized to enter  
said premises, & had in his  
(defendant's) possession at the time  
a key fitting the lock of the door leading  
to said apartment.

Bernard Fralich

deponent to be sworn  
Bernard Fralich  
1888  
W. K. ...

**POOR QUALITY ORIGINAL**

0701

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Thomas Fanning* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is *his* right to make a statement in relation to the charge against *him*; that the statement is designed to enable *him* if he see fit to answer the charge and explain the facts alleged against *him* that he is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial,

Question. What is your name?

Answer.

*Thomas Fanning*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer,

*United States*

Question. Where do you live, and how long have you resided there?

Answer.

*427 East 26<sup>th</sup> Street. 3 weeks*

Question. What is your business or profession?

Answer,

*Plumber*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I have nothing to say.*

Taken before me this  
*John J. [Signature]*  
Police Justice.

*Thos Fanning*

**POOR QUALITY ORIGINAL**

0702

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

1784  
 Police Court District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Samuel Golden  
 171 E 61  
 Macfarlane

2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_

Offence Burglary

Dated Nov. 30 188

Smith Magistrate.

Magistrate Officer.

Witnesses James M. ...  
...  
 No. 32 Street ...

No. \_\_\_\_\_ Street \_\_\_\_\_

No. 1000 Street ...  
 to answer ...

...

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Nov. 30 188 Solomon ... Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0703

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Manning

The Grand Jury of the City and County of New York, by this indictment, accuse

Thomas Manning

of the CRIME OF BURGLARY IN THE SECOND DEGREE, committed as follows:

The said Thomas Manning

late of the Nineteenth Ward of the City of New York, in the County of New York aforesaid, on the thirtieth day of November, in the year of our Lord one thousand eight hundred and eighty-six, with force and arms, about the hour of twelve o'clock in the day time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Bernard Braedick,

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: the said Bernard Braedick,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Bernard Braedick,

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away,

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

Handwritten signature of the District Attorney

District Attorney.

0704

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Farrell, John D.

**DATE:**

12/16/86



2342

**POOR QUALITY ORIGINAL**

0705

Witnesses:

*Officer Thorne*

.....  
.....  
.....  
.....

*W. M. 117*

Counsel,

Filed, 16 day of Dec. 1886

Pleads, *Chiqually (17)*

THE PEOPLE

vs.

*B*

*John D. Farrell*

*13 District*

*177/176*

VILGATION OF EXCISE LAW.

(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), page 1889, Sec. 5].

RANDOLPH B. MARTINE,

*District Attorney.*

*Jan'y 6, 1890, W. J.*

**A True Bill.**

*M. Conusbroff*

*Foreman.*

*Dec 30*  
*1886*

**POOR QUALITY ORIGINAL**

0706

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John D. Farrell*

The Grand Jury of the City and County of New York, by this indictment  
accuse *John D. Farrell*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *John D. Farrell*.

late of the City of New York, in the County of New York aforesaid, on the *22<sup>nd</sup>* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*six*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

**RANDOLPH B. MARTINE, District Attorney.**

0707

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Finnerty, Matthew

**DATE:**

12/08/86



2342

POOR QUALITY ORIGINAL

0708

Counsel, *W. J. S.*  
Filed *8* day of *Dec* 188 *6*

Pleads: .....

Grand Larceny, 2nd degree [Sections 528, 581 Penal Code].

THE PEOPLE

v.s.

*B*  
*Matthew Timmerly*

*[Signature]*

RANDOLPH B. MARTINE,

*Dent - see inside*  
District Attorney.

*Party of death*

A True Bill.

*J. M. Convent*

Foreman.

Witnesses:

*John A Chambers*

POOR QUALITY ORIGINAL

0709

Police Court— District. Affidavit—Larceny.

City and County of New York.

of No. 24 Clinton Street, aged 27 years, occupation Livery Stable being duly sworn

deposes and says, that on the 1st day of September 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz :

A horse and harness, of the value of about one hundred and fifty dollars

the property of deponent and his partners under the firm name of Burns & Co

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Nathan J. Merty in the

name following that on said day the defendant came to the office of the livery stable kept by the said firm of Burns & Co and stated to deponent that he was sent by Lane & McCordan furniture dealers of Waterman Street to procure a horse and harness for the purpose of bringing a load of furniture to 50th Street this City. I gave deponent one dollar & twenty five cents for the use of the horse and harness which was to be returned to deponent before seven o'clock P.M. on said day that he has not since returned the horse or harness I deponent now charges the defendant with taking stealing and carrying away said property with the felonious intent to cheat and defraud the firm of Burns & Co of the same

Sworn to before me this 5th day of September 1888 at New York Police Justice.

**POOR QUALITY ORIGINAL**

0710

Sec. 198-200.

3d District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Matthew Finerty being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer Matthew Finerty

Question. How old are you?

Answer 32 years

Question. Where were you born?

Answer New York City

Question. Where do you live, and how long have you resided there?

Answer 176 Canal Street two weeks

Question. What is your business or profession?

Answer Driver

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. I am not guilty

Matthew Finerty  
Clerk

Taken before me this 4 day of April 1886  
John J. ...  
Police Justice.

POOR QUALITY ORIGINAL

0711

Sec. 151.

District Police Court.

CITY AND COUNTY } ss In the name of the People of the State of New York; To the Sheriff of the County  
OF NEW YORK, } of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint on oath, has been made before the undersigned, one of the Police  
Justices in and for the said City, by John A. Chambers

of No. 248 Clinton Street, that on the 1st day of September  
1888 at the City of New York, in the County of New York, the following article to wit:

A horse and harness

of the value of about One hundred & fifty Dollars,  
the property of Complainant & his copartners  
was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Matthew Finerty

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith  
bring him before me, at the 3rd DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this 1st day of September 1888  
John A. Chambers POLICE JUSTICE.

POLICE COURT. 3 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John A. Chambers

vs.

Matthew Finerty

Warrant-Larceny.

Dated 1st September 1888

John A. Chambers Magistrate

Herahan Officer

The Defendant  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated 1st 1888

This Warrant may be executed  
by John A. Chambers  
Magistrate

REMARKS.

Time of Arrest, Sept 27/88

Native of N.Y.

Age, 32

Sex, Male

Occupation, Fire Marshal

Profession,

Married

Single

Rank

Notes

POOR QUALITY ORIGINAL

0712

BAILED,  
 No. 1, by Patrick Quilty  
 Residence 184 Canal Street.  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

Police Court 3 District 1331

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

John J. Stammers

245 1/2 Stuyvesant

Matthew Simms

Offence Grand Larceny

Date September 4 1886

J. J. Quinn Magistrate

Henry J. Quinn Precinct Officer

Robert J. Quinn Precinct

Witnesses \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ 1500 to answer Q. J.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Matthew Simms guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 1500 Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Sept 4 1886 John J. Quinn Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

**POOR QUALITY ORIGINAL**

0713

County of Kings STATE OF NEW YORK.

**CERTIFICATE OF DEATH.**

Form 3.  
No. of corresponding Entry in Register Book of Deaths to be inserted here by the Registrar.

In the Town (Village) City of Gravesend

- 1. Full Name of Deceased (If an Infant not named, give parents' names.) Matthew Finnelly
- 2. Age 32 years 0 months 0 days. Sex Male Color (Race, if other than the White.) White
- 3. Single, Married, Widowed (Cross out words not required in this line.) Single
- 4. Occupation Laborer
- 5. Birthplace (and State or Country.) N. Y. City U. S.
- 6. Father's Name and Birthplace Owen Finnelly (How long in the United States, if of foreign birth.)
- 7. Mother's Name and Birthplace Bridget Nolan (State or Country.) Ireland
- 8. Place of Death (If an Institution, state its name.) Brighton Place C. Island (How long resident here.) 1 year (If dying away from Home, give Home Residence below.) (State or Country.) Ireland
- 9. Date and Hour of Death:—Died on the 9<sup>th</sup> day of Nov 1886 at 9 A. M.

10. I hereby report this Death, and certify that the foregoing statements are true according to the best of my knowledge.  
(Signature and residence of Reporter.) Thomas Godrich Looney Island

11. I hereby certify, that I attended the deceased from 7 Nov 1886, to 8 Nov 1886, that I last saw him 8<sup>th</sup> Nov 1886, that he died on the 9 day of Nov 1886, about 9 o'clock A. M., and that to the best of my knowledge and belief the Cause of his death was as hereunder written:

	Duration of Disease in			
	Years,	Months,	Days,	Hours.
Chief and Determining } <u>Valvular disease of the Heart</u>				
Consecutive and } <u>Disease of the Aortic Valves</u>				
Contributing } <u>of the Heart</u>				

† The duration of each disease, when given, is reckoned from its commencement until death.

Sanitary observations Good

Witness my hand this 10 day of Nov 1886  
 No. of Burial Permit 541 (Signature,) Thomas Godrich M. D.  
 Place of Burial Holy Cross  
 Date of Burial Nov 11/86  
 Name and Residence of Undertaker A. E. Stillewood Gravesend Residence, Looney Island

N.B. The Superintendent of Vital Statistics CAUTIONS ALL PERSONS against ACCEPTING or USING this Certificate for any purpose except that of delivering it for a Burial Permit and Registration.

Should be certified by the head of the family or other responsible friend.

Certified by the Physician and according to Sect. 1, Chap. 512, Laws of 1880.

GLUED PAGE

POOR QUALITY ORIGINAL

0714

I, John L. Forthuis  
 Town Clerk of the Town  
 of Gravesend hereby  
 certify that the within  
 is a true copy of the  
 death of Matthew Feinerty  
 who died at Brighton  
 Place L.I. Town of  
 Gravesend on the 9<sup>th</sup>  
 day of Nov 1886 -  
 now on file and  
 recorded in the Town  
 Clerks office Town of  
 Gravesend L.I.,  
 Kings Co State of  
 New York

John L. Forthuis  
 Town Clerk  
 of said Town

Dated Dec 15, 1886

REPORT OF A DEATH

From.....  
 Name of Deceased.....  
 Date of Death.....  
 ..... City (Village), or Town  
 ..... Co  
 Name and P. O. Address of Person who gave the  
 Certificate of Burial.

NOTE.—Certificates of Death and all Blanks are to be pro-  
 of Clerks of Cities (Villages) and Towns, as provided by the la-  
 the Registry of Marriages, Births, and Deaths.

The People vs }  
vs. }  
Mathew Finmerty }

City and County of New York vs:-

Patrick N. Oakley  
being duly sworn says:- That  
he resides at No 186 Wester  
Street in the City of New York  
That on or about the 4<sup>th</sup> day  
of September 1886 deponent gave  
bail for the appearance of Mathew  
Finmerty the defendant herein, who  
was arrested charged with the  
crime of Grand Larceny.

That the said Mathew Finmerty  
died on the 9<sup>th</sup> day of November 1886  
at his residence in Brighton  
Place,oney Island as will  
appear by the annexed Certificate  
of Death.

That deponent is therefore unable  
to produce the said Mathew  
Finmerty to plead or answer  
to the Indictment found  
against him by the Grand  
Jury of the County of New  
York on the 8<sup>th</sup> day of December

POOR QUALITY ORIGINAL

0716

1886 and respectfully requests that his bond be revoked and annulled sworn to before me

this 18 day of Dec. 1886 } P. N. Oakley  
Rudolph L. Schauf  
Commissioner of Deeds  
N. Y. City & Co.

COURT OF GENERAL SESSIONS.

The People, &c.

John A. Chambers

vs.

Matthew Finerty

RANDOLPH B. MARTIN  
District Attorney

Affidavit of  
Patrick N. Oakley &  
Certificate of Death  
of the defendant herein

**POOR QUALITY ORIGINAL**

0717

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Matthew Finerty*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Matthew Finerty*

of the CRIME OF GRAND LARCENY IN THE SECOND DEGREE, committed as follows:

The said

*Matthew Finerty*

late of the First Ward of the City of New York, in the County of New York aforesaid on the *first* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and County aforesaid, with force and arms,

*one horse of the value of one hundred and twenty five dollars, and one set of harness of the value of twenty five dollars.*

of the goods, chattels and personal property of one

*John A. Phanders.*

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*Randolph B. Smith*

District Attorney.

0718

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Finzel, Augustus

**DATE:**

12/08/86



2342

POOR QUALITY ORIGINAL

0719

Witnesses:

William Eastwood

16  
MS

Counsel,

Filed

Pleads,

8 day of Dec 1886

Brigely

THE PEOPLE

vs.

B

Augustus King

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

W. J. ...  
Foreman  
Alphie  
Dec 1886  
A. S. D.

**POOR QUALITY ORIGINAL**

0720

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Augustus Smith*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Augustus Smith*

of the CRIME OF ASSAULT IN THE THIRD DEGREE, committed as follows:

The said *Augustus Smith*.

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *14th* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*six*, at the Ward, City and County aforesaid, in and upon the body of one *William Eastwood*, in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and *beat* the said *William Eastwood*, did then and there unlawfully beat, wound and illtreat, to the great damage of the said *William Eastwood*, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0721

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Fisher, William H.

**DATE:**

12/01/86



2342

**POOR QUALITY ORIGINAL**

0722

*Index 1842B*

Counsel,  
Filed *1<sup>st</sup>* day of *Dec* 1886  
Pleads *Not Guilty.*

THE PEOPLE  
vs.  
*RI*  
*Wm. H. Fisher*  
*at*  
*10/10/86*

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.  
*W. H. Fisher*  
*Deputy Foreman.*  
*Placed on Jury 2 day*  
*S. P. three years.*

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

POOR QUALITY ORIGINAL

0723

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

William Lee  
of No. 31. 10<sup>th</sup> Avenue Street, aged 27 years,  
occupation Mechanic being duly sworn deposes and says  
that on the 29 day of September 1886

at the City of New York, in the County of New York, William A. Fisher  
(now here) did unlawfully make and  
and utter a certain instrument or  
writing which Order is attached  
to a Complaint or Affidavit now  
on file in District Attorney's Office  
charging one Henry Johnson with  
fraud for Complaint of John Hadden.  
That the said Fisher admitted  
and confessed in depositions prepared  
and in open Court that he did  
make and utter the said

Sworn to before me, this  
of \_\_\_\_\_ 1886

Police Justice

POOR QUALITY ORIGINAL

0724

Order and that he did give the said  
order to the said Johnson who received  
the money thereon

Given and done in presence of  
this 24<sup>th</sup> day of November, 1886  
Wm. Lee  
J. H. Lee  
Justice

Police Court, District,

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFRIDA VIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY ORIGINAL

0725

Sec. 108-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*William H Fisher*

being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *William H Fisher*

Question. How old are you?

Answer. *24 Years -*

Question. Where were you born?

Answer. *New York -*

Question. Where do you live, and how long have you resided there?

Answer. *181<sup>st</sup> Street Kingsbridge road - 18 Months*

Question. What is your business or profession?

Answer. *Fireman*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I am guilty of the charge I wrote the Order. But gave it to Johnson -*

*Wm H Fisher*

Taken before me this

day of *November* 188

*[Signature]*  
Police Justice.

POOR QUALITY ORIGINAL

0726

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William J. Tucker  
100 Ave 144th St  
Williamsbridge

1  
2  
3  
4  
Offence: Larceny

Dated Nov 24 188

Magistrate

Officer

309 Precinct

Witness: Charles L. Stein

No. 5th Avenue

No. 146 Street

RECEIVED  
DISTRICT ATTORNEY'S OFFICE  
NOV 26 1885

No. 177 Street  
to answer

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

William J. Tucker

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Nov 24 188 Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0727

New York

Sept 27 1886

Mess Kaufman & Hoak

Will please

let Henry Johnson # 297 have  
the full amount of my time for  
September Henry Johnson 297

witness

Charles Smith  
Lawson 1027 St

Mr. J. C. [unclear]

This Complaint is a portion  
of the Complaint against  
Henry Johnson -  
filed in the District  
Office of  
H. J. Kennedy



**POOR QUALITY ORIGINAL**

0728

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*William D. Fisher*

The Grand Jury of the City and County of New York, by this indictment, accuse

*William D. Fisher*

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *William D. Fisher*,

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty ninth* day of *September*, in the year of our Lord  
one thousand eight hundred and eighty-*five* with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act  
and assist in the forging a certain instrument and writing,

which said forged *instrument and writing*  
is as follows, that is to say:

*New York*  
*Sept 29 1886*  
*Wm D Fisher*  
*per Henry Johnson & Co*  
*the full amount of my bill for*  
*Sept 29 1886*  
*Wm D Fisher*  
*per Henry Johnson & Co*

with intent to defraud, against the form of the Statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.

**POOR QUALITY ORIGINAL**

0729

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said

*- William H. Fisher -*

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *William H. Fisher,*

late of the City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, having in *his* possession a certain forged instrument and writing,

which said forged *instrument and writing* is as follows, that is to say:

*New York*  
*Sept 29 1886*  
*Messrs. Chapman & Wood*  
*Will please*  
*let Henry Johnson # 297 have*  
*the full amount of my bill for*  
*September Henry Johnson 297*  
*Wm H Fisher*  
*Henry Johnson no 27* *London* *Central St*

with force and arms, and with intent to defraud, the said forged *instrument and writing* then and there did feloniously utter, dispose of and put off as true, *the* the said *William H. Fisher,* then and there well knowing the same to be forged, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**  
District Attorney.

0730

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Flaherty, Richard

**DATE:**

12/21/86



2342

POOR QUALITY ORIGINAL

0731

Witnesses:

Henry M. Lester  
Frederick Worth

Compt. actn for  
seizure. &  
State Chat. Off.  
for. whenes men  
bunt the occasion

for

Counsel,

Filed 21 day of Dec 1886

Pleas *Not Guilty*

[Sections 628 and 531 of the Penal Code.]

Grand Larceny, 2nd degree (MISAPPROPRIATION)

THE PEOPLE

*vs.*  
*Richard S. Liberty*

RANDOLPH B. MARTINE,

Pr. Dec 24/86 District Attorney.

Made guilty

A TRUE BILL.

*J. W. Comstock*

Foreman.

*E. R. ...*

POOR QUALITY ORIGINAL

0732

Police Court - 2 District.

Affidavit - Larceny.

City and County } ss.:  
of New York, }

of No. 581 Broadway, Street, aged 31 years,  
occupation Wholesale Dealer in boats being duly sworn

deposes and says, that on the 12<sup>th</sup> day of August 1884 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the United States  
to the amount and of the value of  
Five hundred and fifty dollars

the property of David D. and Henry M. Healy, Wholesale -  
dealers in boats, doing business at No 581 Broadway,  
of which firm deponent is a member and co-partner

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Richard Sabert (assuming) for the reason that deponent has been informed by George D. Cooke, the general book-keeper and cashier of the above mentioned firm, that about the hour of 11 A.M. on the above date he sent the defendant, who was employed at the time above mentioned by the above named firm as a clerk, with a check for the above described amount of money drawn on the "National Bank of New York" by the above named firm and made payable to their order, and endorsed by them, which check is hereto attached and forms part of this complaint, and directed the defendant to have the same cashed and return the money so received on said check immediately to him.

That deponent has been informed by Frederick Worth, Paying-teller of the National Bank of New York, that on the

Sworn to before me, this 1884 day

Police Justice.

**POOR QUALITY ORIGINAL**

0733

above mentioned date he cashed a check for two hundred and fifty dollars drawn by D B + S M Trust on the National Cash Bank and made payable to themselves and endorsed by said firm, and that said check was the only one for that amount drawn by the above mentioned firm and cashed by him on that date.

Deponent further says that the defendant did not return to said check or the money tender or account satisfactorily for the same, and that he has not been seen at defendant's place of business, where he was employed, from the time he received said check as above described, until the date of this complaint and that his whereabouts have been unknown to deponent.

Deponent still further says that on the day following the above mentioned date, the bond book of the above mentioned firm, which was in the possession of the defendant at the time of his disappearance as above described, was received by mail directed to the above mentioned firm in the hand writing of the defendant. Deponent charges the said Richard Flaherty with obtaining the same by fraud and with the intent to defraud and with appropriating the same to his own use and benefit and prays that he may be dealt with according to law Henry Mc Lester

Deponent filed on me this 18th day of December 1888  
Henry Mc Lester  
Police Justice

Dated 1888 Police Justice

There being no sufficient cause to believe the within named guilty of the offence within mentioned, I order he to be discharged.

Dated 1888 Police Justice

I have admitted the above named to bail to answer by the undertaking hereto annexed.

Dated 1888 Police Justice

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Police Court, District, OFFENCE—LARCENY. THE PEOPLE, &c., on the complaint of

Dated 1888 Magistrate, Officer, Clerk, Witnesses, No., Street, No., Street, No., Street, Sessions, to answer

**POOR QUALITY ORIGINAL**

0734

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 37 years, occupation Frederick Worth of No. 100  
National Bank Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry M. Lester  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 11 day of December 1888 Frederick Worth

John J. Herman  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 29 years, occupation George J. Burke of No. 581  
Broadway Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry M. Lester  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 18 day of December 1888 Geo. D. Cook

John J. Herman  
Police Justice.

**POOR QUALITY ORIGINAL**

0735

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*Richard Flaherty* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer. *Richard Flaherty*

Question. How old are you?

Answer. *Forty seven*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live, and how long have you resided there?

Answer. *1035 West 181 Street, about two weeks*

Question. What is your business or profession?

Answer. *Conductor*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I have nothing to say*

*Richard Flaherty*

Taken before me this *1st* day of *December* 188*6*.  
*John J. ...* Police Justice.

**POOR QUALITY ORIGINAL**

0736

D. B. & H. M. LESTER.  
581 BROADWAY.

No. 15788

New York, Aug. 12<sup>th</sup> 1886

The National Park Bank,

Pay to the order of Ourselves

Two hundred and fifty Dollars

\$250.00

D. B. & H. M. Lester

**POOR QUALITY  
ORIGINAL**

0737

Please pay  
100. in terms  
100. in bills  
50. in small  
\$250. #  
Wester

**POOR QUALITY ORIGINAL**

0738

BAILED,

No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street

No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street

No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street

No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street

Police Court - 2<sup>nd</sup> District.

THE PEOPLE, &c,  
ON THE COMPLAINT OF

1. *Richard Schultz*  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_  
 4. \_\_\_\_\_

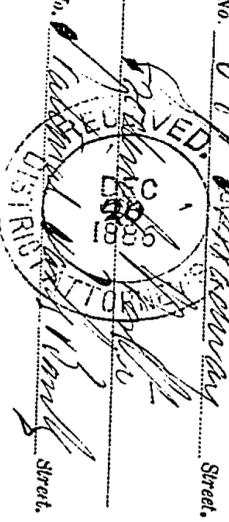
Offence *various Felony*

Dated *December 18* 188*4*

*John J. Brennan* Magistrate.  
Officer *John J. Brennan*

Witnesses *John J. Brennan* Precinct.

No. *58* *St. Ann* Street.  
 No. *10* *St. Ann* Street.



No. \_\_\_\_\_  
to answer \_\_\_\_\_ Street.

*John J. Brennan*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

*Richard Schultz* guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *December 18* 188*4* *John J. Brennan* Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order h to be discharged.

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.

**POOR QUALITY ORIGINAL**

0739

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Richard Stratford*

The Grand Jury of the City and County of New York, by this indictment, accuse *Richard Stratford* of the CRIME OF *Grand* LARCENY, in the second degree, committed as follows:

The said *Richard Stratford*

late of the First Ward of the City of New York, in the County of New York aforesaid; on the *Twenty* day of *August* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and County aforesaid, being then and there the clerk and servant of *David B. Sester and Henry M. Sester, partners in trade, and their company of business in and for the firm name and style of D. B. and H. M. Sester,* and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said *David B. Sester and Henry M. Sester,*

the true owner thereof, to wit: *the sum of two hundred and fifty dollars in money, lawful money of the United States, and of the value of two hundred and fifty dollars,*

the said *Richard Stratford* afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *David B. Sester and Henry M. Sester* of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *David B. Sester and Henry M. Sester*

did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**  
District Attorney.

0740

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Flanagan, Frank

**DATE:**

12/07/86



2342

0741

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Flynn, Daniel

**DATE:**

12/07/86



2342

POOR QUALITY ORIGINAL

0742

Nov 19 5 01 AM

Counsel,

Filed

1886

day of Dec

Pleas,

Chittenden Co.

THE PEOPLE  
 vs.  
 Frank Tomagan  
 and  
 Daniel Flynn  
 A. D.

RANDOLPH B. MARTINE,

District Attorney

Wz Corroled on another  
 Indictment Dec 16/86

St. 7 2/3

A True Bill.

J. W. Bonwick

Dec 21/86 Foreman

Ch. J. Dec 21/86

Plas. J. P. P.

S. P. Five years.

Witnesses:

Officer Martin Campbell  
 28th Precinct

Intelligently in the First Degree  
 George W. Reed  
 Sections 496, 506, 528 and 530

POOR QUALITY ORIGINAL

0743

Police Court— 4th District.

City and County }  
of New York, } ss.:

William Elliott

of No. 343 East 68th Street, aged 63 years,

occupation Seedman being duly sworn

deposes and says, that the premises No 343 East 68th Street,  
in the City and County aforesaid, the said being a dwelling

and which was occupied by deponent as a dwelling

and in which there was at the time a human being, by names Jane Elliott and  
Carroll Elliott

were BURGLARIOUSLY entered by means of forcibly opening the window

on the 2d story of said House by means of climbing  
up over the Hall Door of said House and forcibly  
opening the window on the Hall door

on the 2d day of December 1886 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

one cloak, one silk skirt, one one thousand dollar United  
State Bond, one Case containing one gold watch, one  
gold pen, two gold chains, one silver chain, one  
set of Coral jewelry, one gold pocket, one gold  
kiss, one gold shirt button, one gold shirt stud  
one silver plated spoon, and two black bags and  
other property in all of the value of two thousand  
dollars and more \$2000.<sup>00</sup>/<sub>100</sub>

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Frank Flanigan and Daniel Flynn  
alias Edward L. Curry (both now here)

for the reasons following, to wit:

That the window opened at said  
time was closed and while deponents family  
was at dinner in the dining room on the basement  
floor between 7 and 8 o'clock P.M. on said night  
said window was opened forcibly and the aforesaid  
property was burglariously stolen. That deponent  
was informed by officer Samuel J. Campbell  
of the 20th Precinct Office that after he had arrested  
said defendants he found the gold pen above

POOR QUALITY ORIGINAL

0744

described on said Frank G Flanigan and the Gold Shirt Button and Gold Stud on James Flynn alias Edward Curry after he had brought them said dependants to the 28<sup>th</sup> Precinct Station House and that deponent identified said property as a portion of the property stolen at the time the said Burglary was committed. Deponent further says that he was further informed by Carrie Thomas of No. 93 Third Avenue in said City that said dependants brought to her apartments on said night two black Bags containing a quantity of Goods and dumped the same on the floor of the room in her said apartments and that deponent has since seen the said Bags and fully identified them as the Bags so stolen as described aforesaid.

Deponent from the information received as before described charges the said dependants with the commission of said Burglary and asks that they be held to answer and dealt with according to law.

William Smith  
 Sworn to before me this  
 5<sup>th</sup> day of December 1886  
 [Signature]  
 Police Justice.

Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Burglary \_\_\_\_\_ Degree.

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ \_\_\_\_\_ Bail.

Bailed by \_\_\_\_\_

No. \_\_\_\_\_ Street.

**POOR QUALITY ORIGINAL**

0745

CITY AND COUNTY }  
OF NEW YORK, } ss.

James Campbell  
aged 44 years, occupation Police officer of No. 28th Precinct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of William Elliott

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 5th day of December 1888

J. Campbell

Solomon Summit  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Carrie Thomas  
aged 39 years, occupation Housekeeper of No. 93 Third Avenue Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of William Elliott

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 5th day of December 1888

Carrie Thomas

Solomon Summit  
Police Justice.

**POOR QUALITY ORIGINAL**

0746

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Daniel Flynn* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer. *Daniel Flynn*

Question. How old are you?

Answer. *24 Years*

Question. Where were you born?

Answer, *New York*

Question. Where do you live, and how long have you resided there?

Answer. *387 3 Ave Oneumid*

Question. What is your business or profession?

Answer, *Composition*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I am not guilty,  
Dan C Flynn*

Taken before me this

*John J. [Signature]*  
Police Justice.

**POOR QUALITY ORIGINAL**

0747

Sec. 198—200.

H

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

Frank Flanagan being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer. Frank Flanagan

Question. How old are you?

Answer. 20 Years

Question. Where were you born?

Answer, New York

Question. Where do you live, and how long have you resided there?

Answer. 504 West 39 - 9 mos

Question. What is your business or profession?

Answer, Speculator

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. I am not guilty  
Frank Flanagan

Taken before me this

day of

1888

John J. [Signature]  
Police Justice.



POOR QUALITY ORIGINAL

0749

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank T. Stange and David T. Stange*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Frank T. Stange and David T. Stange*

of the CRIME OF BURGLARY IN THE *first* DEGREE, committed as follows:

The said *Frank T. Stange and David T. Stange*

*both* —

late of the *nineteenth* Ward of the City of New York, in the County of New York aforesaid, on the *second* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the hour of *eight* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

*William Smith* —

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit:

*one John Smith* —

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said

*William Smith* —

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away.

*Each of them the said Frank T. Stange and David T. Stange being then and there assisted by a confederate actually present, that is to say: each by the other* —

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

POOR QUALITY ORIGINAL

0750

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*Frank J. Langgag and David J. Ryan*  
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE, committed as follows:

The said *Frank J. Langgag and David J. Ryan, both* —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *night* time of the said day, with force and arms,

*one book of the value of fifty dollars, one pair of the value of thirty dollars, one bond and written obligation of the kind known as United States Bonds, of the denomination and value of one thousand dollars, one case of the value of five dollars, one watch of the value of one hundred dollars, one gold pen of the value of ten dollars, two chains of the value of thirty dollars each, one other chain of the value of five dollars, one set of jewelry of the value of fifty dollars, one pocket of the value of twenty dollars, one ring of the value of ten dollars, one pair of the value of five dollars, one stud of the value of five dollars, twelve spoons of the value of one dollar each, and two loops of the value of one dollar each,*  
of the goods, chattels and personal property of one *William Elliott,* —

in the dwelling house of the said *William Elliott,* —

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**POOR QUALITY ORIGINAL**

0751

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*Frank Stange and Daniel Ely*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Frank Stange and Daniel Ely*, both —

late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, *one cloak of the value of fifty dollars, one shirt of the value of thirty dollars, one bond and written obligation, of the kind known as United States Bonds, of the denomination and value of one thousand dollars, one case of the value of five dollars, one watch of the value of one hundred dollars, one gold pen of the value of ten dollars, two chains of the value of thirty dollars each, one other chain of the value of five dollars, one set of jewelry of the value of fifty dollars, one locket of the value of twenty dollars, one ring of the value of ten dollars, one shirt button of the value of five dollars, one stud of the value of five dollars, twelve spoons of the value of one dollar each and two bags of the value of one dollar each,*  
of the goods, chattels and personal property of one *William Elliott,*

by *a certain person* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *William Elliott,*

unlawfully and unjustly, did feloniously receive and have; the said *Frank Stange and Daniel Ely,*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

District Attorney.

0752

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Fleming, Bessie

**DATE:**

12/21/86



2342

POOR QUALITY ORIGINAL

0753

*Nov 14/88*

Counsel,  
Filed *21* day of *Dec* 188 *6*  
Pleads, *Mich. July 24.*

THE PEOPLE  
vs.  
*Bessie Fleming*  
KEEPING A HOUSE OF ILL FAME, ETC.  
(Sections 323 and 385, Penal Code.)

RANDOLPH B. MARTINE,  
*Pr July 10/88* District Attorney.  
*Indictment dismissed & bail*  
*disch'd.*  
A True Bill.

*S. M. Leimbach*  
Foreman  
*Jan 18/89*  
*Deft to create perjury*

Witnesses:

*Officer Taker*

*The within premises*  
*being no longer occu-*  
*pied as a Pandey house*  
*and the nuisance having*  
*been abated. I rec-*  
*ommend that within*  
*indictment be dismissed*  
*and bail discharged.*  
*Feb 8. 1887*  
*Randolph B. Martine*  
*Dist. Atty.*

Date of New York and

**POOR QUALITY ORIGINAL**

0754

Sec. 198-206

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Pessie Fleming* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer. *Pessie Fleming*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *Germany*

Question. Where do you live, and how long have you resided there?

Answer. *No 138 W 37th St Longwood*

Question. What is your business or profession?

Answer. *Boarding House Keeper*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I am not guilty and demand a trial by jury*

*Pessie Fleming*  
*mark*

Taken before me this

day of

1888

*J. M. ...*

Police Justice.

**POOR QUALITY ORIGINAL**

0755

Sec. 151.

Police Court— 2 District.

CITY AND COUNTY }  
OF NEW YORK, } ss *In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Henry J. R. Tabor

of No. the 99<sup>th</sup> Precinct Street, that on the 30 day of August

1880, at the City of New York, in the County of New York, Jessie Fleming

did keep and maintain at the premises known as Number 138 West 37<sup>th</sup> Street

Street, in said City, a Disorderly House

and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Jessie Fleming and all vile, disorderly and improper persons found upon the premises occupied by said Jessie Fleming

and forthwith bring them before me, at the 2 DISTRICT POLICE

COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 31<sup>st</sup> day of Aug 1880

J. M. [Signature] POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0756

Police Court— 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry R. Tobin  
vs.

James Doe

WARRANT—Keeping Disorderly House, &c.

Dated Aug 31 188 6

John Magistrate

Sergt. Schmittberg Officer.

29 St. Precinct.

The Defendant \_\_\_\_\_  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

\_\_\_\_\_  
Officer.

Dated Aug 31 188 6

This Warrant may be executed on Sunday or at  
night.

John Smith Police Justice.

Dated \_\_\_\_\_ 188

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

The within named

Police Justice.

POOR QUALITY ORIGINAL

0757

\$500 bail per St  
Sept 20 - 2. PM

BAILED  
 No. 1, by Elizabeth Rusch  
 Residence 348 Avenue Street  
2 floor front  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street

1338  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry P. O'Neil  
William P. O'Neil  
 Offence Keeping  
Arms & Ammunition

Dated Sept 27 188  
John J. O'Neil Magistrate.

Witnesses  
John J. O'Neil Precinct 19  
John J. O'Neil Precinct 19

No. 500 Street 40  
 to answer John J. O'Neil

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Pessie Fleming

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Sept 27 188 John J. O'Neil Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated Sept 3 188 John J. O'Neil Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0758



139 W. 36<sup>th</sup> St.  
Dec. 21<sup>st</sup> '86

Dear Sir

Having been told by a Police Captain that it was no use to raid houses of ill-fame of the District Attorney failed to prosecute, I called your attention last September to one of those houses standing near our school in W. 37<sup>th</sup> St. and you promised to put the law in motion.

Nothing, however, has been done and Madame Fleming is still carrying on business at 138 W 37<sup>th</sup> St. How long is this to continue?

Yours respectfully  
J. S. Laukin  
Pastor

POOR QUALITY  
ORIGINAL

0759

District Attorney's Office,  
City & County of  
New York

Jan 28 1887

Randolph B. Martine,  
District Attorney,

Dear Sir:

I  
herewith respectfully report  
that I have visited the  
premises # 138. W. 34<sup>th</sup> St,  
late occupied by Bessie  
Fleming, and find the  
premises vacated and  
the house closed.

Yours respectfully  
Philip H. Kelly  
Detective Sergeant

**POOR QUALITY ORIGINAL**

0760

Sec. 322, Penal Code.

2. District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Murray J. R. Tabor  
of No. the 29th Precinct Street, in said City, being duly sworn says  
that at the premises known as Number 138 West 37 Street,  
in the City and County of New York, on the 30 day of Aug, 1886 and on divers  
other days and times, between that day and the day of making this complaint

Juanado & Pissie Fleming  
did unlawfully keep and maintain and yet continue to keep and maintain a house  
and did then, and on the said other days and times, there unlawfully procure  
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come  
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said  
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil  
name and fame there to be and remain ~~drinking, dancing, fighting~~ disturbing the peace, whoring and misbehaving  
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and  
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Juanado & Pissie Fleming  
and all vile, disorderly and improper persons found upon the premises, occupied by said  
Juanado & Pissie Fleming  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 31  
day of Aug, 1886 Murray J. R. Tabor  
G. H. [Signature] Police Justice.

**POOR QUALITY ORIGINAL**

0761

*W*  
Police Court— *2* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thos J R Taber*  
vs.

*James A. ...*  
*Jessie Fleming*

Dated *Aug 31* 188 *6*

*God* Justice.

*Aug Schmitt* Officer.

*179* Precinct.

WITNESSES :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AFFIDAVIT—Keeping Disorderly House, &c.

POOR QUALITY  
ORIGINAL

0762

New York Jan<sup>y</sup> 15<sup>th</sup> 1887

This is to certify that  
Mrs. Humming vacated  
the Premises 138 or 37<sup>th</sup> St  
Jan<sup>y</sup> 15<sup>th</sup> 1887.

S. DeWolfe

POOR QUALITY ORIGINAL

0763

City & County - 3  
of New York 3. 55

The people vs.

vs. <sup>3</sup> Keeping an ornate House  
Bessie Flemming <sup>3</sup>

Bessie Flemming being duly sworn deposes and says that she is the defendant charged in the annexed indictment for Keeping and Maintaining premises No. 138 West 37<sup>th</sup> Street as a Disorderly House, to wit a House of prostitution.

Deponent further says that she has vacated said premises on the 15<sup>th</sup> day of January 1884 that the nuisance charge is abated, and deponent will not occupy any premises in this City for any similar purpose.

Deponent further says that she recommends the lease and keys of said premises to S. H. Wolfe, the Landlord, as certified to by the annexed certificate of said Landlord, whereupon deponent prays that the proceeding against

POOR QUALITY  
ORIGINAL

0764

let may be dismissed

Subscribed before me this  
17<sup>th</sup> day of January 1884  
Henry Thorgbath Notary Public  
N. Y. Co.

Count of Gene Secoria

The people vs

Benjamin Fleury

Defendant Appellant

**POOR QUALITY  
ORIGINAL**

0765

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Bessie Fleming*

The Grand Jury of the City and County of New York, by this Indictment, accuse

*Bessie Fleming*

(Section 822,  
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said

*Bessie Fleming*

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *August*, in the year of our Lord one thousand eight hundred and eighty-*nine*, and on divers other days and times as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Bessie Fleming*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

SECOND COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said

*Bessie Fleming*

(Section 885,  
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

*Bessie Fleming*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *thirtieth* day of *August*, in the year of our Lord one thousand eight hundred

**POOR QUALITY ORIGINAL**

0766

and eighty- *six*, — and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**THIRD COUNT.—**

**And the Grand Jury aforesaid, by this indictment, further accuse the said**

*Bessie Fleming*

(Section 322,  
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

*Bessie Fleming*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *thirtieth* day of *August* in the year of our Lord one thousand eight hundred and eighty-*six*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0767

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Flynn, Daniel

**DATE:**

12/07/86



2342

POOR QUALITY ORIGINAL

0760

Nov 18

Counsel,

Filed

day of

1886

Pleas

Chiquity (P)

THE PEOPLE

vs.

Daniel Flynn  
12 cases

*[Signature]*

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*[Signature]*

Foreman

Dec 16/86

*[Signature]*  
Seven of each pt.

Witnesses:

Officer Martin Campbell

Registered in the Second Degree,  
Clerk of the Court,  
Sections 49, 50, 51, 52 and 550.

POOR QUALITY ORIGINAL

0769

Police Court 4<sup>th</sup> District.

City and County }  
of New York, } ss.:

of No. 1162 First Avenue Street, aged 18 years,  
occupation Clerk in a Grocery being duly sworn.

deposes and says, that the premises No 1162 First Avenue Street,  
in the City and County aforesaid, the said being a Tenement dwelling house  
a Bed room on the 2<sup>d</sup> floor of  
~~and~~ which was occupied by deponent as a Sleeping room  
and ~~in which~~ <sup>on said floor</sup> there was at the time a human being, by name

Peter Halloran and his wife Ellen Halloran  
were BURGLARIOUSLY entered by means of ~~forcibly~~ climbing up the  
Fire Escape on the rear of said house and forcibly opening  
the window leading into the kitchen on the second floor  
and after ward entering the room next to the kitchen  
which deponent occupies as a Bed room  
on the 30<sup>th</sup> day of November 1886 in the night time, and the  
following property feloniously taken, stolen, and carried away viz:

One double Cased Silver Watch, One Over Coat,  
One pair of Pants and One Cloth Suit,  
all of the value forty five dollars \$45<sup>00</sup>/<sub>100</sub>

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Daniel Flynn alias Edward Curry (nowhere)

for the reasons following, to wit:

That on said night deponent securely  
fastened the doors and windows of said premises  
that at about 4 o'clock on the morning of the 1<sup>st</sup> day  
of December 1886 when deponent got up he saw the  
window open leading into the kitchen and then  
discovered that the property described aforesaid  
had been feloniously stolen. That deponent was  
informed by neighbor, Lacey of No. 1164 First  
avenue in said City that said defendant

POOR QUALITY ORIGINAL

0770

gave him the clothing described aforesaid to pawn for him and he was further informed by officer Hugh Martin of the 28<sup>th</sup> Precinct Police that he said Lacey acknowledged to him that he pawned the said clothing for him defendant and that he said defendant pawned the watch and gave the ticket of the watch to him said Lacey and that he said Lacey had both Pawn Tickets in his possession when arrested by said officer Martin and that defendant fully identifies said property as that of his. Dependent further that he was further informed by Carrie Thomas of No. 43 Third Avenue that he said defendant brought said property to her house on the morning of the 1<sup>st</sup> day of December 1886.

He then for charges the said defendant from the aforesaid information with the commission of said Burglary.

I am to before me this  
 3<sup>rd</sup> day of December 1886  
 Robert Penner  
 Police Justice

Police Court \_\_\_\_\_ District \_\_\_\_\_

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Burglary \_\_\_\_\_ Degree \_\_\_\_\_

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Magistrate \_\_\_\_\_

Officer \_\_\_\_\_

Clerk \_\_\_\_\_

Witnesses \_\_\_\_\_

Committed in default of \$ \_\_\_\_\_ Bail \_\_\_\_\_

Bailed by \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

**POOR QUALITY ORIGINAL**

0771

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 39 years, occupation House Keeper of No. 93 3rd Avenue Street, being duly sworn deposes and

Carrie Thomas

says, that he has heard read the foregoing affidavit of Robert Laguer

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 5th day of December 1883 } Carrie Thomas

Solomon B. Smith  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 40 years, occupation Police officer of No. 110 9th Precinct Police Street, being duly sworn deposes and

Hugh Martin

says, that he has heard read the foregoing affidavit of Robert Laguer

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 5th day of December 1883 } Hugh Martin

Solomon B. Smith  
Police Justice.

**POOR QUALITY ORIGINAL**

0772

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 19 years, occupation Augustus Lacey Painter of No. 1164 1<sup>st</sup> Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Robert Lagnev and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 5<sup>th</sup> day of December 1888 & Augustus Lacey

Solomon B. Smith  
Police Justice.

**POOR QUALITY ORIGINAL**

0773

Sec. 198-200.

H District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Daniel Flynn being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer. Daniel Flynn

Question. How old are you?

Answer. 24 Years

Question. Where were you born?

Answer, New York

Question. Where do you live, and how long have you resided there?

Answer. 387 3d Ave New York

Question. What is your business or profession?

Answer, Compositor

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. I am not guilty  
Daniel Flynn

Taken before me this  
day of June 1938  
W. J. [Signature]  
Police Justice

POOR QUALITY ORIGINAL

0774

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 5, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 6, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 7, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 8, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 9, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court 4th District 1882

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Robert Seeger  
116 2nd St  
Dance Flynn  
alias Edward Leury  
 Offence Burglary

Dated December 5th 1882

Henry Smith Magistrate  
Master Seeger Officer



Witnesses  
2nd Precinct  
Augustus Dekey Street \_\_\_\_\_  
No. 116 2nd St Street \_\_\_\_\_  
James Thomas Street \_\_\_\_\_  
James Dekey Street \_\_\_\_\_  
100 2nd St Street \_\_\_\_\_  
to answer 92

deputes James Thomas  
at station 300 Ave

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Dance Flynn alias Edward Leury

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated December 5th 1882 Edouard Seeger Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188\_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188\_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0775

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*David E. Ryan*

The Grand Jury of the City and County of New York, by this indictment, accuse

*David E. Ryan*

of the CRIME OF BURGLARY IN THE ~~second~~ DEGREE, committed as follows:

The said *David E. Ryan*,

late of the *Nineteenth* Ward of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force and arms, about the hour of *three* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

*Robert Saenger*.

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit:

*the said Robert Saenger,*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said

*Robert Saenger.*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away;

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

**POOR QUALITY ORIGINAL**

0776

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*David T. Ryan*

of the CRIME OF GRAND LARCENY IN THE *Third* DEGREE, committed as follows :

The said *David T. Ryan,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *month* time of the said day, with force and arms,

*one watch of the value of twenty  
dollars, one overcoat of the value  
of fifteen dollars, two pairs of  
trousers of the value of twenty  
dollars each pair, one coat of  
the value of ten dollars, and one  
part of the value of four dollars.*

of the goods, chattels and personal property of one

*Robert Sangner,*

in the dwelling house of the said

*Robert Sangner,*

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.



0778

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Forst, Charles

**DATE:**

12/01/86



2342

POOR QUALITY ORIGINAL

0779

706 B Way  
Woburn Mass

Counsel, *J. O. West*  
Filed *1* day of *Dec* 188*6*  
Pleads *Not Guilty*

Grand Larceny, 2nd degree  
[Sections 528, 58 Penal Code]

THE PEOPLE vs.  
*B*  
*Charles Sorok*

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

*A. J. Chamberlain*

Foreman.

*Wm. H. Nichols*

*J. H. Williams*

Witnesses:

*statement*  
Upon the affidavit of the com-  
plainant herein, it appearing  
that there is sufficient cause to believe  
that the defendant is guilty of the crime  
charged in the indictment, and that  
it is necessary that the defendant be  
committed to the custody of the  
sheriff of the county of Middlesex,  
Massachusetts, to await the trial of  
the same.

*Wm. H. Nichols*  
Dec 11, 1887

*Wm. H. Nichols*  
*Wm. H. Nichols*

**POOR QUALITY ORIGINAL**

0780

3<sup>rd</sup> DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF  
Bertha Lambert  
Anna Ford

Examination had July 28<sup>th</sup> 3<sup>rd</sup> - 28<sup>th</sup> 1886  
Before Wm. Palm Smith Police Justice.

I, W. L. Crumbly Stenographer of the 3<sup>rd</sup> District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of

Bertha Lambert  
Matthew Levy, Anna Mendelberg, Anna Ford  
James ...  
as taken by me on the above examination before said Justice.

Dated October 15 188 6

William L. Crumbly  
Stenographer.

Solo ...  
Police Justice.

POOR QUALITY ORIGINAL

0781

STENOGRAPHER'S MINUTES.

2 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Bertha Lambert

vs.

Charles Forst

BEFORE HON.

Solon B. Smith

POLICE JUSTICE,

July 21

1886

APPEARANCES:

For the People,

du Ueyen

For the Defence,

du Hockstadter

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

Bertha Lambert

1

1

7/8

W. L. O'Malley

Official Stenographer.

Police Court  
Second District

The People vs  
Bertha Lambert  
Charles Forst.

Examination before Justice Smith  
July 21 1886

Appearances

For the People by Mr Hockstadter  
" " by Mr Meyer.

Bertha Lambert, the complaining  
witness, being cross examined  
upon her affidavit deposes and  
says: - My name is Bertha Lam-  
bert. I live at Astoria. I am  
a married woman. My  
husband's name was Carl  
Lambert.

Q Where is he now?

A I do not know.

Q - Were you divorced from your  
husband, or is he dead?

A He went away in the morning  
and I did not see him any  
more since - a morning about  
five years ago.

Q Do you remember making  
the complaint in this case? Do  
that your signature to it?

A Mes,

Q What does this paper contain?

A-

objected to

Q - What does it say in this paper? What is the paper about? Tell us what you swore to?

A I went to 333 Grand street I asked for Mr Heintzelman. He was not there, I had to wait. While I waited I saw the defendant. When he came he asked me what I wished? I said I wished to have a divorce from my husband so as I can get married again. I asked him what it would cost. He said about eighty dollars, that will be all. I said that if it cost more that I would leave it go; that I cannot pay any more. He said "It wont cost you any more; that will be all; about Christmas you can get married again". Then he asked me how long my husband was away, I told him all about it; that he was away five years and that I have not seen anything of him since. I guess this was all.

Q - What else was done by Mr. Forst?

A - He was there in the office

Q - Did he introduce you then to a lawyer, or anybody that he said was a lawyer at that time?

A - No; he said he was a lawyer himself

Q - When did you meet Mr. Levy?

A - I did,

Q - When was it you first met him - how many days after?

A - I cannot remember the day - It was a couple of months after that

Q - A month - will you swear to that?

A - Yes.

Q - What did Mr. Levy do?

A - I had a lady brought along with me that knows my husband.

Q - What is Mr. Levy's business?

A - I guess he is a lawyer.

Q - Do you know?

A - Not at that time

Q - When did you first find out that Mr. Levy was a lawyer?

A - That day that he came there and wrote something in Mr. Forst's office

Q - Mr. Levy in Forst's office?

A - Yes

Q - You knew then that he was a lawyer?

A - Yes.

Q - Did you sign a paper?

A - He had a large paper

Q - Did he read it over to you?

A - He read it over when I was there

Q - Did he read to you what it contained

A - Yes

Q - You understood what the paper contained?

A - Yes, Sir.

Q - You signed the paper?

A - Yes

Q - Who swore you to it?

A - Mr. Forst was there with Mr. Levy, and a lady.

Q - What is her name?

A - Mrs. Meyers.

Q - Mr. Forst swore you to the paper did he not? Did he ask you whether the paper you signed was true? Do you know what a notary is?

A - A notary is a lawyer.

Q - Do you know that Mr. Forst was a notary?

A - When I came there Mr. Forst told me that he was an advocat

Q Did he tell you that he was a notary public?

A Yes; I did not see his name in writing

Q You never saw his name as notary public?

A No.

Q Did you not see your friend Elizabeth Myers sign a paper in that office?

A Yes; she swore to that what she said.

Q Before whom did she swear?

A Who signed that paper after Mrs. Myers signed it?

A I signed the paper.

Q Did a man sign it after Mr. Myers?

A I signed it - I put my name there

Q Who else signed it? Did you see Mr. Forst sign that paper?

A No; I did not see it.

Q Mr. Forst was there all the time was he not?

A Yes; Sir

Q How many times have you been to see Mr. Levy about this case?

A More than 25 times

Q Did you pay Mr. Levy any money?

A No Sir.

- Q - At no time?
- A - I paid Mr. Levy \$25 the day I was at the Referees
- Q - How much money had you paid to Mr. Levy before you paid that money to him?
- A - None at all.
- Q - Did you ever see Mr. Levy present when you paid any money before that, in 333 Grand street to any one?
- A - When I paid the last of the \$100 and got a receipt in full, Mr. Levy was there and Mrs. Myers. When I got the receipt in full Mr. Levy was present.
- Q - How much did you pay that day?
- A - \$25. It was paid in Mr. Forst's office and I got a receipt for the whole \$100 I paid.
- Q - From whom did you get a receipt for the \$100?
- A - Mr. Forst.
- Q - Where is that receipt?
- A - It is attached to the complaint in this case.
- Q - Was Mr. Levy present at that time when that receipt was given?
- A - Yes, Sir.
- Q - How much money did you pay to Forst the first day

you came to Forst's Office?

A. \$25.

Q. To whom did you next pay any money?

A. To Mr. Forst.

Q. Was Mr. Levy present?

A. No, Sir.

Q. Was Mr. Levy present at any time except on this last occasion?

A. That was the first time I saw him.

Q. How did you come to go to Forst and Kuntzlemans office?

A. No 333 Grand street?

A. I went to 99 Nassau street.

Q. Whom did you see there?

A. This old gentleman Mr. Harder, the German Legal Aid Society manager.

Q. Do you know that Mr. Harder is in the German Legal Aid Society - what is his business?

A. I do not know (objected to and objection overruled)

Q. Did Mr. Harder give you a card?

A. He gave me a card.

Q. (Card shown) Is that the card?

A. That card with his name on he sent me with to Mr. Harder Kuntzelman 333 Grand street.

Q Did you see any firm sign up when you came to 333 Grand street?

A - I cannot read. I was looking for the number. I did not see any sign.

Q Did you know of the firm of Heintzelman and Forst?

A - No, sir; not before - when I came there - not at that time.

Q Did you ever see the name of Heintzelman and Forst?

A - No; how could I see it before.

Q Or after?

A - No, after either.

Q Have you heard of such a firm as Heintzelman & Forst?

A - No.

Q Did you ever hear that Forst was working for Heintzelman?

A - I heard that afterwards.

Q Let us know what you heard how long ago?

A - I could not remember that.

Q How long after you went to Heintzelman's office did you find out that Forst was Mr. Heintzelman's partner?

A - It was after I met Mr. Levy that I found out.

Q Who told you that Mr. Forst

was Mr. Heintzelmann's partner  
How did you find that out?

A. I found it out in Nassau  
street.

Q. Who told you in Nassau Street?

A. This old gentleman Mr. Harder.

Q. How long after you had  
seen Mr. Levy and Mr. Forst  
did you first go back to  
Nassau street?

A. It was a couple of months  
after, when I saw it would  
not be finished by Christmas -  
that I could not get my  
divorce by Christmas, as I was  
told, I went there again to  
Nassau street.

Q. What did you tell Mr. Harder  
at that time?

A. I could not see that anything  
was further done in the divorce.

Q. What did Harder say?

A. He said he will see to it.

Q. Did you make any complaint  
to Mr. Harder that Mr. Forst  
had represented himself as a  
lawyer to you?

A. No, Sir.

Q. Did you tell Mr. Harder that  
you had signed a paper at  
that time?

9 A. No, Sir.

- Q. As a matter of fact did you sign a paper in your case?
- A. Yes Sir I did when I paid the \$25-
- Q. Did Mrs. Meyer sign a paper before that time?
- A. Not before that time - she was sent one time there
- Q. Did you see your divorce case printed in any of the papers?
- A. No, Sir.
- Q. Was you ever told that the paper would be printed?
- A. I was shown the publication, at Mr. Forst's office, of the summons
- Q. Were you ever told that money would have to be paid for the publication of the summons in your case?
- A. I do not know any more.
- Q. Were you told that this money you were paying was to be expended in your case for any purpose?
- A. Of course I was told that.
- Q. Do you know, of your own knowledge whether it has been so used or not?
- A. I do not know.
- Q. Do you believe that it has?
- A. I believed at that time that

was no right way. I saw after-wards it was not.

Q - Did you ever speak to Mr. Levy about your case?

A - No, sir; not before that time he was in the office - the time I saw him - that was all he done.

Q - You say you had been to Mr. Levy's office over twenty times?

A - Over that after that.

Q - After what?

A - After I signed the paper while Mrs. Meyer was there.

Q - Do you mean to say that you in Mr. Forst's office, signed a paper brought by Mr. Levy, without being told what it was?

A - Mr. Levy read it to me - translated

Q - To you in German?

A - Yes

Q - Mr. Levy and Mr. Forst present.

A - Yes

Q - Did he read then to you this "that she was married to the defendant in the city of New York on the 9th of March 1879 by the Reverend Edward F. Mould church. Do you remember his reading that?"

A - I do.

Q - Is that true?

A - Sure it is.

Q - Who got that information from you? How did he find it out?

A - I do not know who told him.

Q - Did you bring a marriage certificate to Mr. Levy's office?

A - I do not know.

Q - Did you ever bring it to Mr. Forster's office?

A - I do not remember.

Q - But you remember that he read "And there is no issue of said marriage?"

A - I can't remember that. Yes, he said that.

Q - Did he ask you if you had children?

A - Yes.

Q - Did he ask you whether you and your husband were both residents of the United States?

A - No; he did not ask that.

Q - Do you remember that he read "Both parties are residents of the City of New York"?

A - I do not know that he read that.

Q - You do not remember some things that he read and some things you do?

A - It was too large to remember.

Q - Did Mr. Levy explain to you

in German and read what the paper contained as you have testified about it here with reference to your marriage on the 9th of March 1879 by the Reverend Edward J. Moldchutke? ?

A. Yes

Q. That is the paper you signed?

A. That was the first time Mr. Levy read something to me.

Q. You understood that paper after it had been explained to you - you found it correct?

A. Yes, Sir.

Q. How many times were you with Mr. Levy before the referee Mr. Nolan?

A. Only once

Q. Where was the office of Mr. Nolan?

A. 12 Chamber street

Q. What was done at that time?

A. Everything done the referee did.

Q. Who asked the questions in your case for you?

A. I do not know whether it was Levy or Forst

(It is admitted that Mr. Levy asked the questions)

Q. Was he your lawyer there?

A. Yes, he was.

13 Q. Who was present at the reference?

A Me and Mr. Levy and Forst, that is all.

Q What did Mr. Forst go there with you for?

A I do not know what for he went there with me.

Q What did Mr. Levy say to you about bringing witnesses or trying the case, as to when it would be through?

A Many times I was told it would be finished

Q By whom?

A I was told by Forst they would finish it all by Christmas

Q What were you told by Levy?

A Mr. Levy told me it would be finished in a couple of weeks more than ten times.

Q What did Mr. Levy say to you before you got before the Referee as to when it would be finished?

A In a couple of days.

Q Was Mr. Forst present at that time when he said that? Was Forst there too?

A Every day when I was by the Referee he said that it will only last a couple of weeks days.

14 Q Who said this?

- A - I do not know - I guess they were both together - I could not remember
- Q - What did you pay the last \$25 to the ~~Dr~~ Mr. Levy for?
- A - For the Referee
- Q - Have you ever got that report for a divorce?
- A - I never got my decree or divorce.
- Q - Were you told that if you paid \$25 to the Referee you would get your divorce?
- A - Yes.
- Q - By whom were you told that?
- A - That \$25 was for the referee and that was the last. They both were together - I do not know - both sat together at the table
- Q - Who told you?
- A - Mr. Levy told you me.
- Q - Do you know whether the Referee's fee is paid?
- A - How could I know. They told me that was paid.
- Q - Do you know that it is not paid?
- A - I do not know - I think it is not paid
- Q - Who saw you about commencing this case against Mr. Frost?

- having Mr. Forst arrested? who spoke to you?

A - I went to Nassau street and told the old gentleman about the case.

Q - Did he tell you to arrest Mr. Forst?

A - No.

Q - What did he tell you?

A - That he would attend to it.

Q - Then where did you go?

A - I went home.

Q - How many papers did you sign for Mr. Levy altogether?

A - I do not know how many.

Q - You signed several papers?

A - Yes. I am sure there were two. I do not know of any more. The first the lady was with me.

Q - Where was the last paper signed?

A - In Forst's office

Q - Was Mr. Levy there?

A - Yes

Q - Throughout all this transaction if you went to Mr. Forst's office to sign papers Mr. Levy was present was he?

A - Only one time.

Q - Was that the first time?

A - No; that was the last time

after the \$100 was paid - when Mrs. Meyers was present

Q Did you just testify or swear that Mr. Levy read over the paper to you in which it was stated that on the 9th of March 1879 you were married by the Rev. Edward F. Muldchutke?

A Yes; that is what I know.

Q He explained that paper to you in German?

A Yes, Mr. Levy read the paper containing that ~~sent~~ sentence He mentioned at the time the name of the minister who married me in that paper.

Q Do you remember swearing to a paper in which it was stated that you had \$500 in bank? Do you remember that?

A I do not remember that

Q Did you at any time swear that immediately after you were married to your husband he pocketed your money and instead of attending to his business he began to spend your money?

A Yes, Sir

Q Do you remember signing the paper that contained that?

A Yes, I remember signing that paper.

Q - When you signed that paper who was there - where was it signed - that was when Mr. Meyer was there - where was it?

A - At Mr. Forst's office.

Q - Who was there at that time?

A - Mr. Meyer was there.

Q - Was Mr. Levy there that day?

A - Yes, Sir.

Q - Do you remember whether this paper contained anything about your living in 5th Street and First Avenue - all about household furniture?

A - Yes.

Q - That paper was read to you?

A - Yes.

Q - By whom was it explained to you?

A - By Mr. Levy.

Q - In Mr. Forst's presence?

A - Yes.

Re. direct by Mr. Meyer

Q - How often has Mr. Forst told you he was a lawyer?

Objected to

A - A couple of times when I was there I asked him. He said I should not

trouble him so much in his office  
He said he is not a shoemaker  
or a tailor - he is a learned  
lawyer

Q That was in whose office?

A - In Forst's office - not to trouble  
him more

Q That was how long before  
after you first became ac-  
quainted with him?

A About three months after

Q Of Mr. Forst had not told  
you he was a lawyer, would  
you have paid him the first  
\$25 on the first day?

Objected to

Taken subject to objection.

A I would not have paid him.

Q Would you have paid  
him if he had not told  
you that

A No, Sir

Q Believing his statement that  
he was a lawyer you paid  
him \$25?

A Of course I believed him  
as a lawyer?

A I believed him for a lawyer  
- all what he told me. I told  
him that if it cost too much  
money I would not commence  
it. I told him I had heard

of a case where a party spent \$1,500 and did not get a divorce.

Q The first time you met Mr Levy was about two months after you paid \$25 to Mr Forst.

A I think it was a long time

Q How long?

A I think it was after the holidays.

Q That you first met Mr. Levy?

A Yes, Sir - I do not know for sure I am not sure.

Q Do you know how long after you paid him \$25 that you saw Mr. Levy draw up that big paper that you signed with Mrs. Meyers?

A Two or three months I think. I am not sure.

Q Where was that paper signed by you and Mrs Meyers - in Mr. Forst's office? or Mr Levys office?

A Mr. Forst's office.

Q Are you sure about that?

A I am sure.

Q Never read to you any complaint or any paper that said that your husband had committed adultery with a woman by the name of Flora?

A I do not remember.

Q Did you ever tell Mr. Forst that your husband had committed adultery with any one?

A No Sir; I never did

Q That was not true?

A - No, Sir.

Q Do you know that he did what adultery is?

A - I cannot say that he did it.

Q Did you tell Mr. Forst, or Mr. Levy that your husband had committed adultery with any woman at any time?

A No.

Q Did you tell Mr. Forst that your husband left you?

A That he left me and took my money - that is all I told him.

Q You said that you could marry again - that he had not showed up in five years

A I heard so.

Q Was the reason that you went up to Kuntzelman's to get a divorce so you could marry again?

A Yes.

Q That is the statement you told Mr. Forst?

A Yes

Q When did you first find out that Mr. Levy was your lawyer before you went to the Referee's office?

A That time he had the office on Broome street.

Q December January or February?

A I do not remember

Q Did you ever pay Mr. Levy any money for being your lawyer?

A No, Sir.

Q Did you always think that Mr. Forst was your lawyer?

✓ A Yes.

Q When you were before the Referee Mr. Forst and Mr. Levy were both there were they not?

A Yes.

Q Mr. Forst translated the questions?

A Yes.

Q Do you know the distinction between a notary and a lawyer?

A No Sir; I do not know what that means.

Q Are you positive that Mr. Forst told you he was a lawyer?

A Yes

Q More than once?

A More than once he told me.

Re-cross

Q Did Forst ever tell you that he was a notary?

A I saw that on a card that he was a notary.

Q When did you see that on a card?

A When he sent me the card

Q The first card he ever gave you?

A Yes

Q That was on his card that he was a notary?

A Yes

Q You saw he was a notary?

A Yes

Q Did I understand you right to say that Mr Levy drew a paper and read it to you and Forst read and explained it to you?

A Yes.

Q Did he not read N. S. Levy plaintiffs attorney?

A I cannot remember that

Q Mr Forst did not write any paper?

A No, Sir

Q Mr. Levy drew up the paper

- A. Yes
- Q. All the papers drawn up were drawn up by Mr. Levy were they not?
- A. Yes.
- Q. Did Forst ever draw a paper that you signed?
- A. The first day when I went there Forst drew up a paper to which I signed my name.
- Q. Mr. Levy was not present at that time?
- A. No Sir
- Q. When Mr. Levy first came in to the office of Forst, did not Forst introduce you to Mr. Levy?
- A. Mr. Levy came in the front room and he told me.
- Q. Who - Forst?
- A. Mr. Forst told me to come in the back room
- Q. What did Forst say to Levy?
- A. I do not know what was said
- Q. Did not introduce you?
- A. No Sir.
- Q. Is that as true as anything you have sworn to?
- A. Yes
- Q. Anybody else present in the back room?
- A. Mrs. Meyers was there.

Q Were you asked anything by the Referee about your husband committing adultery?

A Yes.

Q Who asked you that question the Referee or Mr. Levy?

A I do not know who asked it.

Q Did Mr. Levy tell you to bring any other witnesses to the Referee?

A No. Only Mrs. Myers.

Q Did you tell Mr. Levy that Mrs. Myers knew anything about your case?

A She did not know anything about it only she knows my husband has left.

Q Did Mr. Levy tell you to bring Mrs. Myers?

A Yes.

Q Did Mr. Forst ever tell you to bring Mrs. Myers?

A I do not know.

Q Did you bring Mrs. Myers?

A Yes.

Q Was Mrs. Myers examined before the referee?

A No.

Q Why was she not examined

A She was not there

25 Q Were you told to bring her?

A No; I was not told to bring her there. I was only told to bring her to Forst's office. I was never told to bring her to the referee.

Q Did Mr. Levy tell you what offense it was necessary to prove to get a divorce?

A No.

Q Did you talk to Mr. Levy about your case, or to Mr. Forst as to what was necessary to establish to get a divorce?

A I think I was asked by Mr. Levy if I had a witness. I said one lady.

Q Did Mr. Levy tell you what he wanted the witness to prove?

A No.

Q Did Mr. Forst ever tell you what you had to prove?

A I do not know.

Q When did you first find out that this complaint against your husband was made for adultery?

A That I do not know, I never made such a statement.

Motion to strike out the answer as not responsive.

A (Continued) It was said to me that it would not be any harm

for me to say that, but, I would not say it, for sure - I would not swear to a lie

Q Who said that to you?

A I think they both was there I cant remember it any more.

Q Have you not sworn in your paper that Mr. Forst said it?

A I do not remember

Re-direct

Q - Do you read English?

A - No

Q Do you read German?

A Yes.

Q Did you have this paper in your possession ( Referring to receipt for \$100 attached to the complaint )

A Yes

Q By whom is that paper signed?

A By Forst.

Q What signatures are attached to that paper?

A I do not know

Q How can you tell that it is signed by Forst?

A I say that Mr. Forst gave me that paper.

motion to strike out the answer as not responsive.

Q Point out Mr Forst's name on that paper?

A He knows it.

Q What does that say?

A I think N. S. Levy.

Q - When did you find that out that that was Levy?

A. I saw it when I got the paper.

Q When you paid the money?

A - Yes - when I paid the money Mr. Levy was there. Mr. Forst signed it.

Q Mr Levy was present?

A Yes

Q Did you hear Mr Levy say anything to Forst about making out a receipt for you?

A No Sir I did not

Q When you saw N. S. Levy there did you know at that time that Mr. Levy was your counsel attorney, and that he had done the work, before he signed the receipt?

A. No; that was the last day.

Q You swear that Mr. Levy had not drawn a paper at the time you got these papers?

A I did not see him. I could not swear. I did not see him draw a paper and I

can't swear to that.

Re. direct by Mr. Dejeu

Q - Who gave you that receipt attached to the complaint?

A - Mr. Forst.

Q - The defendant?

A - Yes.

Q - Who wrote that paper?

A - Forst. I do not know whether it was written - Forst gave it to me.

It is admitted that the receipt in question was written by Forst in Levy's presence

Q - Levy was present?

A - Yes.

Q - How came you to get this receipt from Forst?

A - I had no receipt for my hundred dollars. I said 'This is the last money I pay - I have paid already more than I intended. Well, he said, you won't pay any more.

Q - When you paid ~~the~~ the money he gave you this receipt?

A - Yes.

Q - That was in Mr. Levy's presence?

**POOR QUALITY ORIGINAL**

0011

A. Mer.

Admitted to Faculty July 23  
1886 at 9:30 A.M.

POOR QUALITY ORIGINAL

08 12

STENOGRAPHER'S MINUTES.

2 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

*Reuben Lambert*

*Charles Foust*

vs.

BEFORE HON.

*John B. Smith*

POLICE JUSTICE,

*July 23*

188*6*

APPEARANCES:

*For the People,*

*For the Defence,*

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WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

*Nathan S. Levy*  
*Charles Hudeberg*  
*Charles Foust*

*33,*

*1*

*32*

*W. L. Armstrong*

Official Stenographer.

Police Court  
Second District

The People  
Bertha Lambert  
Charles Forst

Examination Before Justice Smith  
(Continued)  
July 23 1886

Dependants counsel offers in evidence  
summons and complaint, affidavits  
of Bertha Lambert, N. S. Levy,  
and Elizabeth Meyer, certified copies  
of papers on file in the Supreme  
Court in the case of Bertha Lambert  
vs. Carl Lambert. The same  
are admitted in evidence by consent  
and marked "Ex A, July 23 1886  
P. J. sten."

Nathan S. Levy, & being cross ex-  
amined by Mr Hockstadler on his  
affidavit deposes and says:— I  
am an attorney and counsellor at  
Law. My office is at 75 Ludlow  
street. I know the dependant,  
about four or five years.

Q Have you been connected in  
any manner or shape in the  
way of business with Mr. Forst?

A I did business with Mr. Forst. He

introduced clients to me and I attended to the cases as attorney. I generally gave him a gratification of one half for his introduction.

Q You have had a number of cases from Mr. Forst during the last three or four years?

A Yes; I cannot say the number more than half a dozen - more than a dozen.

Q More than two dozen?

A That I won't swear to

Q Do you remember the Lambert case?

A I do

Q When was the first you met Mr. Lambert and where?

A To the best of my recollection in the latter part of November 1884

Q Where?

A In my office at that time my office was at 230 Broome St.

Q Who was with Mr. Lambert at that time?

A I think a lady by the name of Mrs. Meyers.

Q What took place between you and Mr. Lambert, and Mrs. Meyers on the first occasion you saw Mr. Lambert?

A To the best of my recollection

that was the first occasion I drew up the affidavits; I do not think Mr. Forst was present at that time on the first occasion I met Mrs. Lambert.

Q How did Mrs. Lambert come to be there?

A She had the address of my office on a card, she was sent there by Mr. Forst. Mr. Forst's office was about three blocks away from mine. I believe she said she had been around to Mr. Forst and that Mr. Forst was not home.

Q What did she say with reference to the matter on which Forst sent her?

A I do not know. I obtained it from instructions which Mr. Forst had sent me.

Q You had seen Mr. Forst prior to that time about Mrs. Lambert's case?

A Yes.

Q What did Mr. Forst say to you and what did you say to Mr. Forst?

A Mr. Forst told me that the lady had called upon him with a case of divorce against her husband, and that she

had stated to him the facts,  
and that he had the facts in  
his office; had taken it all  
down, and that he had taken a  
fee of \$25 from her. Of which  
he gave me \$12.50

Q Was this before Mrs. Lambert  
came to you?

A That was before

Q Did he state why he came to you  
and did not go to Mr. Heintzel-  
man?

A He was sick

Q Did you know that Heintzelman  
and Forst were partners?

A Yes. Connected in business?

A Yes.

Q How long after that time was  
it you saw Mrs. Lambert?

A Probably three weeks.

Q Prior to your seeing Mrs. Lam-  
bert, you had done no writing?

A Yes I had. On the day when  
Mr. Forst gave me 12 dollars  
and a half I drew up the  
summons - He told me.

Q Where did you draw that  
summons?

A In my own office in Broome St.

Q Was the summons served?

A By publication

Q What did you do on the occasion

when Mrs Lambert and Mrs. Uley came to your place in Broome street?

A I drew up affidavits with a view to obtain an order of publication

Q When did you draw up the complaint in the Lambert case?

A Probably a week after I drew the summons

Q Did you draw the complaint without having seen the plaintiff?

A From facts that Mr. Forst furnished.

Q Without having seen your client?

A I drew the complaint without having seen Mrs. Lambert.

Q You acted as plaintiff's attorney without having ever seen your client.

A Yes.

Q You were not present at the time Mr. Lambert signed the complaint?

A I was not.

Q If she testifies differently, are you mistaken?

A No! She is mistaken.

Q Did you at any time read the complaint to your client?

A I did not.

Q How often did you, during the time you acted as her attorney see Mrs. Lambert anywhere?

A Ten or fifteen times

Q Did you at any time during all of these conversations talk with her with reference to the case you had in hand for her?

A Yes.

Q Did you explain to her the nature of the complaint that she made against her husband?

A I did.

Q How long after you first became acquainted with Mrs. Lambert did you so state to her?

A Probably two or three months after.

Q Do you mean to say that during that time Mrs. Lambert knew nothing whatever of the facts contained in the charge against her husband?

A That I do not say.

Q Did you in the course of that time ever speak to her of her complaint - Did you talk with her about the case in which you acted as her attorney?

- A. Certainly
- Q. Was the accusation of the cause <sup>of action</sup> understood by her?
- A. I should judge from her conversation it was
- Q. What was the cause of action which she so understood?
- A. Adultery
- Q. She understood what it was?
- A. I should judge she did.
- Q. You spoke to her and told her she had commenced a suit for adultery, didn't you?
- A. Not directly
- Q. Or indirectly
- A. When Mrs. Lambert and Mrs. Meyer came to my office the first time I drew up an affidavit of publication, about a week after that I had received the complaint sworn to from Mr. Forst. She had previously been to Forst and signed the complaint; it being necessary to file the complaint together with the affidavits to obtain an order of publication. I did not pay any particular stress about reading the complaint. I drew the affidavits believing that she fully knew and had had full instructions

given to her by Mr. Forst. I accordingly read the affidavit and had a general conversation during that time with reference to the husband, his business, his being away, & accordingly with that I drew up the affidavits. If I can not mis-  
letter, while I was finishing the affidavits Mr. Forst came in

Q Was Mrs Lambert present when Mr. Forst swore her to her affidavits?

A Certainly

Q Did Forst administer the oath to her?

A Yes.

Q He signed the papers as notary?

A Certainly.

Q Did Mrs Lambert visit you at your office during these proceedings?

A Yes

Q Do you remember admitting that \$50 was paid by Mrs. Lambert

A I do not.

Q - Do you remember admitting that \$25 was paid?

A I do.

Q What was that \$25 paid by

Lambert for -

A My record of the case in refer-  
ence to financial business is that  
Mr. Forst was to get the pay-  
ment. He was to receive \$25  
out of which he gave me  
\$12.50.

Q That was the first time?

A- My testimony gives an additional  
\$50 was paid, of which I received  
nothing. Subsequently to that  
there was \$25 paid of which I  
received one half - making  
\$25 in all I received.

Q Mrs Lambert swore that she  
was informed by you that you  
received the sum of \$12.50 -  
was that true?

A Yes

Q When she testified that you  
received no further payment  
she is mistaken is she?

A She knew nothing about that.

Q Did you apply for an order  
of reference in her case?

A I did.

Q Did you speak to your client  
before you got that order of  
reference as to a witness that  
would sustain the cause of action?

A No? I spoke to Mr Forst  
about that

Q Did not speak to your client?

A I spoke to her about the witnesses required

Q For what purpose?

A To prove the cause of action

Q Did you get the order for the reference?

A I did.

Q Did you take your client to the referees office with you?

A I did.

Q How many times?

A Once.

Q Did you ever adjourn the reference at your own motion?

A Yes - fifty times - very many times.

Q Do you mean the court to understand that you had a referee appointed and proceeded with your client to the referees office, and received fees from Mrs. Lambert without ever informing her that it was necessary for her to prove by a witness that her husband committed adultery?

A I did not say that.

Q What do you say?

A I say that the communications with reference to the proofs of the case seemed to be carried on between Mr. Forst and Mr. Lambert and Mr. Forst

and me. Mr. Furst saw Mrs Lambert particularly as to what was particularly and exactly necessary. I also spoke with Mr. Lambert and told her what witnesses were necessary.

Q Did you tell her for what purpose witnesses were necessary?

A Yes.

Q What was the purpose?

A To prove the cause of action.

Q What was the cause of action?

A Adultery.

Q What did she say?

A She said she had a witness Mr. Meyers.

Q Who could prove acts of adultery against her husband?

A She did not say that. She said she had a witness Mr. Meyers.

Q What for?

A To say what she knew about the case.

Q Was it before you went before the referee with Mr. Lambert?

A No.

Q Then you went before the referee without knowing anything about the facts you were going to prove before the referee?

A I went there to bring out the

facts of the case as time went on.

Q In spite of Mr. Forst acting as go-between, you say you had seen her fifteen times alone in your office?

A After I went with her before the referee, and before

Q How many times before you went to the referee had you seen her in your office alone?

A Once, to the best of my recollection.

Q Of Mrs. Lambert swore differently she is mistaken?

A I might be mistaken. I testify to the best of my recollection.

Q Was there nothing ever done between you and her then to have these affidavits signed to obtain the order of publication?

A Yes.

Q All that time, until the day that you went with her to the referee she had never been to your office?

A I do not think she had been.

Q Did you during that time meet her at Mr. Forst's office?

A I think once.

Q How long a time had elapsed

between the time that these papers were drawn up on the 19<sup>th</sup> of November?

A. The time I notified Mr Forst to produce the lady February 20 before the referee.

Q. And between the 19<sup>th</sup> day of November and February you had never seen Mr Lambert at your office or at Mr Forst's?

A. I think I met her once in Mr Forst's office between those times; I do not remember the occasion.

Q. Was that the occasion when \$25 was paid and receipted for?

A. There was \$25 paid but there was no receipt given.

Q. Did you have any conversation with Mr Lambert on that day at all?

A. I had no particular conversation with her at all, but came in there and met her there not by appointment.

Q. You had no appointment to meet her there that day?

A. All communication between Mr Lambert was carried on by Mr Forst and her I did not know where the woman lived.

Q Did you write to her during the time you were first employed to attend to this case? Did you send her a letter to go before the referee?

A No; I did not know where she lived until a good while afterwards.

Q You accepted her money without knowing whether you could prove her case or not?

A The little money that I got scarcely paid me to put my pen to paper. It was very reasonable for the services rendered.

Q You proceeded without knowing whether this woman had a case or not?

A No; I took it for granted and stated the facts as they were presented to me at the time the case was given in my hands, when I drew the complaint, by the first.

Q Upon the occasion that that \$125 was paid to you did you give any receipt to Mr. Lambert?

A I did not.

Q Do you mean to swear that you were not present when any receipt was given to her?

A I was not present. I gave her a subsequent receipt for another \$25.

Q Did you receive \$25 that you were to give up?

A - Mr. Nolan asked me to look out that his fees were secured. He said his fees for the report would not be over \$25 and I should secure it to him. I spoke to Mrs. Lambert with reference to it. She deposited \$25 with me and I gave her a receipt for it. The reference never having been concluded I hold it until this date for the referee Mr. Nolan.

Q When was this?

A Upon the day of the reference February 1885. I do not know what was the date of the reference. I think it was the latter part of February.

Q Is that your handwriting?

A Yes. "Exhibit A. May 23 1886  
Op. Steen"

Q - It is dated May 1885 and you there state that Mrs. Lambert has not yet paid the Referee's fees?

A That is a mistake

Q When you stated that at that time she had not paid the referee fees you had in your possession \$25 that she had paid to you for referee fees?

A Certainly

Q The summons were by publication?

A Yes

Q In what papers?

A Register and Mercury.

Bills put in evidence  
"Exhibit C, July 23, 1886  
Op. Steen."

Q Are those the bills?

A Those are the bills. They were never in my possession.

Q When you drew this complaint in your office was Mr. Forst present?

A No, Sir.

Q Was your client present?

A No, Sir.

Q Who suggested the name "Flores" in a house of prostitution in Forsyth Street?

A That was first given to me by Mr. Forst. He said that Mr. Lambert gave it to him.

Q Did you have a memorandum?

A He handed me a memorandum. It is destroyed.

Q Did it contain the name of the minister who married them.

A Yes

Q The fact as to issue living?

A - It stated that there was no children and some other entry

Q You do not remember?

A No.

Q What kind of a piece of paper was it?

A I do not remember.

Q When did you receive this memorandum?

A I guess he handed it to me either on the street or in my office - I do not remember

Q How long after you received the \$12.50 did you get the memoranda?

A The next day or the second day after.

Q The \$12.50 was paid to you where?

A In my office

Q On that date Mr. Forest gave you the facts?

A He said he had the facts in his office. He came there casually and said he would give me the case.

Q Was there anything on the memorandum about the ~~fact~~ woman having never been divorced?

A No

Q Is not that your own composition

A That is my own composition I knew we had to make that out.

Q Did you know that the woman had never been divorced?

A No.

Q You inserted that on your own responsibility

A Certainly

Q Was there anything on the memorandum about being residents of the state of New York or not?

A I won't say positively - I cannot tell

Q That was perhaps of your own composition?

A Certainly

Q You drew this complaint in order to get an absolute divorce according to the best authority?

A Certainly.

Q Will you positively swear that you did not at any time speak to your client before

you went with her to the referee  
as to what she was expected  
to prove to get an absolute  
divorce?

A I told ~~her~~ you before - I  
will have to repeat - The  
general transaction of the  
business of the case was  
between Mr Foust and Mr  
Lambert.

Motion to strike out the  
answer as not responsive.

Q (Repeated)

A I will say that to the best  
of my recollection I expected  
to use ~~Mr Lambert~~ <sup>Foust</sup> I spoke to  
him with reference to his mode  
of carrying on the business for  
me.

Q You having been paid fees  
in the case?

A Yes.

Q Did you testify in your answer  
to a question on this cross-  
examination that you did  
tell Mr. Lambert that she  
should bring Mrs. Meyer to  
prove adultery?

A I did not say she would  
have to bring Mrs. Meyer to prove  
adultery, but she witnesses she

said she could bring.

Q Did you ever tell her it was necessary for her to bring up Mr. Meyer?

A I did not.

Q When was this conversation with Mr. Lambert?

A I do not know.

Q Was it before or after you went to the referee?

A I guess that was after.

Q How long after?

A Probably the next week.

Q Where did you meet Mr. Lambert to take her to the referee office?

A I do not remember whether it was my office or Mr. Foust's. My office was in Broome Street and Mr. Foust's office was in 1321 Third Avenue. She might have met me at the referee office. I am not positive.

Q Did you ask Mr. Foust to take Mr. Lambert up to your office and go with you to the referee office?

A I do not know - it may be. I do not remember.

Q Did you not have a case at Essex Market and tell Mr. Foust to take her down there

and you would follow?

A. I do not remember that.

Q. Whether you came to the referee's first - do you remember any incident at all?

A. No.

Q. Did you meet Mr Lambert there?

A. Yes.

Q. Were the referee in when you came there?

A. Yes.

Q. Did you have Mr Lambert sworn?

A. Yes, by the referee.

Q. Did you talk with your client before the reference commenced?

A. No.

Q. Did you know what you were going to prove by that client?

A. Yes. I know the requirements of law that are usual in all divorce cases.

Q. Do you wish this court to understand that you had at any time spoken to this woman about the adultery charged in her complaint?

A. To the best of my recollection

no.

Q. In the entire period of what three months?

A In three months

Q What was done at the reference that first day?

A She was sworn and examined.

Q The next thing she did on that day was to pay you \$25. for the referee fees?

A On that day. It was the request of the referee that I should hold it for him.

Q You got that money when?

A On that day.

Q When did you next go to the referee office?

A I have been there 5 to 7 different times

Q With your client?

A No.

Q What did you go there for?

A To have the case adjourned. I supposed she was going to have other witnesses

Q How did you come to have such a supposition if you did not talk with her?

A I gave her such instructions as I thought was necessary.

Q As to what it was necessary to prove?

A Certainly.

Q On how many occasions?

22 A Ten or fifteen times

Q And on each of these occasions you gave her instructions as to what it was necessary to prove?

A Five or six occasions I spoke to her, I afterwards told her that unless witnesses were offered she could not get a divorce.

Q And did she say she would furnish witnesses?

A No; she said she had witnesses and would bring Mr Meyers down.

Q Then her testimony as to her lack of knowledge in regard to <sup>the suit</sup> that this suit was brought for adultery - that is not correct is it?

A I cannot say.

Q If she testified that she did not know that this suit was brought for absolute divorce on the ground of adultery committed by her husband it is not true is it?

A I do not know.

Q You acted as her attorney and appeared in court in person?

A Yes.

Q She looked upon you as her

Attorney?

A That I do not know.

Q Did she ever tell you that  
Forst was her attorney?

A She could not tell me  
that.

Q You knew Mr Forst was not  
an attorney?

A Certainly.

Q Who saw you about making  
these affidavits in this pro-  
ceeding?

Objected to  
Answer taken subject  
to objection

A I decline to answer.

Q Did Mrs Lambert ever com-  
plain to you of the fact that  
she could not get her divorce?

A Yes.

Q How many times?

A Five or six times, she was  
strongly mortified, excited  
and angry about it.

Q Did she ever charge Mr.  
Forst with having done any-  
thing improper to her?

A Yes.

Q When?

A On two or three occasions

Q Did she threaten proceedings  
against you?

A Never.

Q Did any one in her behalf ever threaten to institute proceedings against you personally for not getting her through this matter?

A Never.

Re. direct by Mr. Meyer

Q Do you know Mr. Fount?

A About four years.

Q You have took this business for him?

A Yes; a number of cases.

Q He brought you a state of facts as in this case of Mrs Lambert, upon which statement of facts you drew up a complaint?

A Yes.

Q The state of facts was that this woman husband had committed adultery?

A The state of facts embraced a complaint for adultery - gave the necessary facts for a complaint.

Q That you drew up in your office?

A Yes.

Q She swore to that in your absence?

- A - It was delivered to me afterwards sworn to.
- Q About how long after the complaint was delivered to you, sworn to, did you for the first time see Mrs. Lambert?
- A From or five days - I am not positive.
- Q Where did you see her for the first time?
- A In my office.
- Q Who was with her?
- A Mrs. Meyer.
- Q At that time was the complaint sworn to?
- A - It had been sworn to by that time.
- Q You drew up the affidavits for what purpose?
- A To obtain an order of publication.
- Q And from Mrs. Meyers for the same purpose?
- A Yes.
- Q You are positive you did not see your client until you drew the affidavits for publication?
- A Positive.
- Q You took it for granted that Mr. Forst had told you, as you stated - all the facts of this case?

A Certainly

Q And you relied entirely upon that?

A - Yes.

Q When for the first time did Mrs Lambert visit you at your office - to call upon you?

A I suppose it was when I drew up the affidavits for publication.

Q When Mrs Lambert spoke to you about witnesses, mentioning Mr Meyer, did she say that witness was to prove adultery?

A No.

Q Did you ever say anything to her about this witness was to prove adultery?

A No.

Q You did not know where the plaintiff lived?

A I did not

Q When for the first time did you know Mrs Lambert's residence?

A Probably in April or May.

Q After you had drawn the complaint?

A After I had appeared before the referee

Q How came you to seek it?

27 A I wanted to see her to find out

why she did not come to the referee - she commenced to stop. I could not get her there. I was ashamed to go on in that way. The referee hounded me for additional fees. I went to Mr. Foust and he gave me her address about the \$25 you received for referee fees - was that for the referee fees spoken of in your letter?

Q

A

W. S. The letter refers to fees for adjournments claimed by the Nolan the referee. That is a different thing from the fee for the referee report. The referee charged \$3 for each adjournment - I think it was \$75 in all. He wanted adjournment fees for sitting in his office.

Q

and the \$25 put in your hands by Mr. Lambert were fees for the referee report?

A

I see him when he gave his report

Q

and the letter you sent to Mr. Foust referred to what?

A

adjournment fees claimed by the referee

Q

Are you positive that Mr. Foust

is not a lawyer?

A From his own statements to me.

Q Have you any explanations to make regarding your previous testimony?

A - The bills for publication which are in my name were never in my possession. The summons being in my name as Attorney the bills were directed to N. S. Levy Attorney. I did not pay the bills personally - I think Forst paid them.

been examined

Q Were you present when the bills were paid?

A I may have been - I cannot recollect. I will not swear that I was not present.

Q Have you drawn up any papers in business matters for Mr Forst that he did not give you the facts before you drew up such papers?

A I guess he came to my office

Q {Repeated}

A Never.

Off offer in evidence  
"Exhibit D July 23 1880. of Ste"

(Postal card shown)

Q - Is this postal card from you?

A Yes.

Q And you testified that you did not know where she lived until April or May?

A Yes, that is true.

Card marked "Exhibit"

Q You wrote "Mrs Lambert will be down". Did you ask Mr. Forst her address when you expected her to come down?

A I expected her and sent to him.

Q Could you not have ascertained if you wished?

A I do not doubt so.

Q Did you not have directrices and see her to make inquiries of herself? Did you ask him?

A Whenever I asked him he said she lived in Astoria, but did not give me the address. Did you know whether she did live in Astoria?

A I did.

Q Did you address a letter to her while she lived in Astoria?

A I guess I did.

Q Mary? A No.

Q more than one?

A Yes.

Q Did you ever tell Mr Nolan that you had this \$25 that you had collected of Mrs Lambert for his fees?

A No; I had agreed with Mr Lambert that in case I could not get the case through for that \$25 I would return the money.

Q Have you ever refunded?

A I have not been asked.

Q Did not Mr Nolan ask you for adjournment fees?

A Yes.

Q Have you ever paid him?

A No.

Q How many times did you adjourn these proceedings in Nolan's office after you had received the \$25—

A A number of times.

Q You never paid him a penny of adjournment fees?

A No, Sir.

Q For any fees that he earned?

A No, Sir.

Q He asked you for money?

A Yes.

Q You never paid him or returned it to Mrs. Lambert?

A I have not been asked.  
My agreement with her is to  
return it in case I do not  
get the decree.

Q How long a time has elapsed?

A 8 ~~months~~ months.

Q You never offered to return  
this money?

A Not yet not until the pro-  
ceedings are through.

Q Have you still faith that  
you can secure that result?

A If you had not you would  
restore it?

A I never hesitated.

Q Are you doubtful whether Mr.  
Forst is or is not a lawyer?

A I did not say I was doubtful.  
I think he is not a lawyer.

By Mr. Deyen.

Q Did you read the complaint  
to Mrs. Lambert?

A No; the paper that I read  
to her was the affidavit for  
the order of publication.

Charles Heidelberg; being duly sworn  
deposes and says - I am a

Detective Sergeant at Police  
Headquarters since 1880. I  
arrested the defendant at the  
corner of Second Avenue and  
82nd Street. I was outside  
his office. It is a law and  
real estate office in Third  
Avenue between 101st and 102nd  
Street, right hand side - going  
up. There are signs wh.  
"Hocklatter and Forst" "Hock  
latter is a big one - lawyer  
has it the appearance of a  
law office?"  
Arrested the

Mr Hocklatter - I admit that Charles  
Forst's sign is "Charles Forst  
Real Estate Broker 1811, Notary  
Public. Then there is a white  
dash. I have an office at  
206 Broadway and an evening  
law office at 1811 Third Avenue.  
My name appears under -  
a Counsellor at law.

Charles Forst the defendant  
being duly sworn in his own  
behalf deposes and says

I am 48 years old. I live at  
312 East 81st Street. I am a  
real estate broker. In 1884  
my office was at 333 Grand  
Street. I was with Mr. Huntzel-  
man in business. I was Mr.  
Huntzelman's private manager  
of the business. I attended to  
all the cases. I was a  
managing clerk in the office.  
Mr. Huntzelman is a lawyer.  
I was a clerk in the office  
and did the notary business.  
I had articles of copartnership  
with Mr. Huntzelman.

Defendants "Exhibit 1"  
July 23 1888 O. J. Sten.

I know Mrs. Lambert. She  
was sent up to our office  
with a writing on business  
card from Mr. Haarder. The  
card is here shown.

Defendants "Exhibit 2"  
July 23 1888 O. J.  
Sten.

The date when she first came  
was November 11 1884. She  
brought this card from Mr.  
Haarder. Mr. Haarder told  
me he had seen Mrs. Lambert  
and he had agreed on the  
price of obtaining a divorce:

for her - from \$80 to \$100. That is what Haander told me.

Q Did he mention the name of the woman he was going to send?

A Mr Lambert from Astoria

Q What did he say about the price?

A \$80 to \$100

Q you were to charge?

A Yes: My Haander told me that he had agreed with her that she had to pay for the divorce \$80 to \$100. which she was to pay to Huntzelman and Forst. It was two

days after Mr Haander told me this in conversation that Mr Haander Lambert came

Q Were you present when she came?

A My wife was in the office I was not present. Mr Huntzelman was sick about 5 or ten days at his house. We had no clerk at the time. When I returned I found Mr Lambert with my wife

Q What conversation did you have with Mr Lambert. What did she say to you - what did you say to her?

A She said to me, "Mr Forst,  
I have just heard from  
your wife that Mr Huntzelman  
the lawyer is sick and I am  
sent by Mr. Haarden, and  
here is his card. He told  
me that he spoke to you  
about the whole matter."  
Which was in fact true?

Q  
A Certainly. Mrs. Lambert took  
a seat and she explained  
the matter to me - how it  
was, and then I said "Mrs  
Lambert; if it is the way  
you have said you can get  
a divorce, she told me that  
her husband left her four  
years; that he robbed her  
out of some money; that he  
had some other woman  
besides her. Then I said  
to her "It seems to me  
you can get a divorce on those  
grounds you stated. She said  
"I agree with Mr. Haarden  
to pay \$30 on account -" not  
\$25

Q Did you at that time tell  
her or get her to believe  
that you were a lawyer?

A No, Sir.

Q Was the subject spoken of

- between you on that occasion as to your being a lawyer?
- A She told me "I was just hearing from your wife that Mr. Hutzgelman is sick," I told her "I am a clerk in this office" She said that Mr. Haarder had sent her specially to the Forest. He always did that when he sent business there. He always did.
- Q How long had you known Mr. Haarder?
- A Since Mr. Hutzgelman has been my partner.
- Q You have seen him at the German office that they have?
- A He is there every day.
- Q Did Mr. Haarder have special relations with your family?
- A Yes.
- Q You received from Mrs. Lambert that day \$30?
- A Yes.
- Q For yourself?
- A No.
- Q To whom did the \$30 belong? That was paid to you by Mrs. Lambert?
- A It belonged to Mr. Hutzgelman to the firm.

Q In accordance with your articles of co-partnership?

A Yes.

Q Did Mr. Haander receive any part of the money?

A Mr. Haander came on the same day - in the evening and got ten dollars. He called at the office in the evening. I did not have the money in the office. I put \$30 in an envelope and gave it to my wife. When Mr. Haander came I went to my wife's stairs in my parlor, and Mr. Haander went with me. My wife handed me out this envelope a ten dollar bill which Mr. Haander received. There were three ten dollar bills.

Q Did Mr. Hutzelman receive any portion of that money?

A Yes, Sir.

Q When?

A A day afterwards.

Q Where?

A I brought him ten dollars on his bed. He was lying on his bed. He handed the ten dollars to his wife.

Q What did he say about your paying ten dollars to Haander?

A He was not satisfied. He said "Mr. Haarden can wait; I am sick"

Written to strike out the answer

Q. Did you keep a book of your transactions with Hutzelman? in 1884?

A Yes

Book produced, on page 61 is the item on the debit side "7th Nov. Bertha Lambert \$30"; and on the credit side "Haarden \$10"

Q. Were those items received and paid by you?

A Yes.

Admired to Wednesday  
July 24 1886

POOR QUALITY ORIGINAL

0852

STENOGRAPHER'S MINUTES.

2 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Lambert

vs. Forst

BEFORE HON.

Adon B. Smith

POLICE JUSTICE,

July 25 1886

APPEARANCES:

For the People,

For the Defence,

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WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
N. S. Levy	1			
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W. L. Campbell

Official Stenographer.

Police Court  
Second District

The People vs  
Lambert  
Forst,

Examination Before Justice Smith  
July 28 1886.

N. S. Levy recalled -

Q The affidavit which you made in  
this proceeding was signed by  
you and sworn to?

A Yes

Q The contents of that affidavit  
were understood by you?

A I think so certainly

Q The contents are true?

A Certainly

Q You swore that you believed  
your client had a meritorious  
cause of action?

A Yes.

Q That was made in the  
month of November 1884?

A Certainly

Q

Charles Forst, the defendant being  
only sworn deposer and says:  
I desire to correct my testimony

It was a card from the German  
Legal Aid Society that Mrs  
Lambert brought me. It had  
Mr Haarder's handwriting on  
it on the back, directing her to  
Mr Heintzelman Off. & Forst's  
Office. I do not mean to  
say that I attended to cases  
or any case, as a lawyer. I  
Q did not act as a lawyer.

Q State what were your duties  
in the Office?

A I attended to the notary business.  
I saw people who came in  
I would talk with the people  
and heard them. I was the  
managing clerk. I introduced  
people to Mr Heintzelman who  
was most of the time in the  
back room. When I thought  
they had a case I would intro-  
duce them to Mr. Heintzelman  
- if not I sent them away.

Q What do you mean, did  
you determine upon the correctness  
or merit of lawsuits or cases  
when there?

A Never.

Q Explain your answer as to your  
introducing people to Mr.  
Heintzelman

A Mr Haarder sent people to us

under this agreement which we had with him. Many times people came and I would not bother Mr. Heintzelman when it was my opinion that it was not worth to bother Mr. Heintzelman about it. Then the people went away.

Q Did you at any time say you were a lawyer?

A Never.

Q In your knowledge was Mrs. Lambert informed by any one that you were not a lawyer?

A Yes; by my wife objected to motion to strike out the last answer.

Q Was that connection repeated in your presence?

A Yes; by my wife, and Mrs. Lambert told me that she knew from what Mr. Harvord told her that Mr. Heintzelman was not

Q Did Mrs. Lambert tell you that she knew you were not a lawyer and that Mr. Heintzelman the lawyer was not?

A Yes, Sir.

Q She had been so informed

by Mr. Haarden?

A. Yes, Sir.

Q. Did you act in this matter in any capacity or in any way at any time as a lawyer?

A. No, Sir.

Q. Did you represent yourself to any one, particularly to the complainant, or any person in this proceeding as an Attorney at Law?

A. No, Sir.

Q. Did you furnish the facts in this case to Mr. Levy?

A. No, Sir.

Q. Were the facts given in your presence to Mr. Levy and by whom?

A. Yes, Mr. Lambert came to my office and Mr. Levy and me were present. Mr. Lambert gave him the facts. I was called in the front office. Mr. Lambert was with Mr. Levy in the back office, and read the complaint to her. He wrote it that and called me in and read it over to Mr. Lambert and explained it to her in German. I said "Do you understand it." She said "Yes; I understand most of it; will you please

explain it in English? I swore  
her as a notary to it, and  
she signed her name.

Q - You have heard Mr. Lambert's  
testimony that Nathan S. Levy  
showed this complaint in your  
place of business at 333 Grand  
street, that it was read over to  
her by Mr. Levy and translated  
by you and that you signed  
as a notary. Is her evidence  
true?

A Yes, Sir.

Q And Mr. Levy's contradictory  
story is not true?

A It is not.  
Paper shown, being complaint  
in case of Lambert v  
Lambert, marked Exhibit  
A"

Q Did Mrs. Lambert in your presence  
at any time see Mr. Levy at your  
office?

A Yes, Sir.

Q Did Mrs. Lambert talk with  
you at any time about bringing  
adultery proceedings?

A Yes.

Q Did you take her to the referees  
office at any time?

A Yes. Mr. Levy asked me  
to do him the favor of taking

Mr. Lambert to the referee office and I did so. The referee appeared and I had a conversation with the referee in Mrs. Lambert's presence. The Referee asked me if I was the lawyer and I told him no that I was sent by Mr. Levy who was the lawyer and who would be there in 15 minutes. Mr. Levy came, and proceeded to act as the attorney of Mr. Lambert. I never had anything to do with the management of the proceedings and never saw Mr. Lambert afterwards.

Cross examined by Mr. Meyer

Q. How long have you been in this country?

A. Since 1857

Q. How long have you been located at 333 Grand Street?

A. About 5 months

Q. What is your name?

A. Charles Forst.

Q. How long have you been known by that name?

Objected to  
Answer taken subject to  
Objection.

- A My name is Charles Forst all my life.
- Q Is that as true as anything else you have sworn to?
- A That is as true sir
- Q Did you ever hear the name of Robert Tupt?
- A I never heard of it.
- Q Were you never known by the name of Robert Tupt.
- A No sir
- Q You are positive of that?
- A Yes sir
- Q How long have you known Mr. Kaarder?
- A Since I became a partner of Mr. Heintzleman
- Q You never knew him ~~before~~ before that time?
- A No, sir
- Q How long have you known Mr. Heintzleman?
- A Three or four months before I became his partner
- Q What was your business before that?
- A Real estate agent - always a lawyer had desk room in my office.
- Q You always had an office?
- A Yes.
- Q When did you become a partner with Mr. Heintzleman?

A About June 1 1884; and the partnership was for two years.

Q When did you break off that partnership?

A When Mr. Heintzleman got sick in 1884

Q Are you a partner of his now?

A No, Sir; and have not done business together since November or December 1884.

Q What day did Mr Lambert call on you first.

A ~~It~~ It was the 7th day of November 1884, at my office 333 Grand street.

Q State what conversation took place?

A Mr Lambert handed me a card from the German Legal Aid Society - from Mr Haarder - she said "Mr Forst, I have just heard from your wife that, as Mr Haarder told me, Mr Heintzleman is sick, I wish to commence a suit for divorce against my husband. Mr. Haarder told me all about it, and that I should pay \$30 on the account, and he has arranged with me that the cost would be from \$50 to \$100." She asked me

what time he would be in the office. I then told him I did not know exactly, but that he will be in the office pretty soon. She said "Please let me know what time I shall call again at your office" and I promised to do so.

Q Is that all the conversation that took place?

A I talked with her about the place where she was living. That is all the conversation.

Q When next did you see Mrs Lambert?

A About the 18th or 19th of November.

Q Where?

A In the presence of Mr. Levy in my office.

Q Does your book show the exact date?

A The book does not show the exact date, but it was about the 18th or 19th of November.

Q After that when was the next time you saw Mrs. Lambert?

A The time she came with Mrs. Meyer to my office; I do not remember how long; it was before the order of publication was given; it may be 14 days

after - the order was on the 10<sup>th</sup> of December.

Q When did Mrs Lambert and Mr Meyer call upon you after she swore to the complaint

A She was ordered by Mr. Levy to come with Mrs. Meyer - I cannot be positive - between Nov. 19 and Dec. 10

Q 10 days after?

A I cannot remember - it was any way, before the publication she swore to affidavits with Mrs. Meyer.

Q If the complaint shows that they were sworn to on the 17<sup>th</sup> day of November 1884 that is a mistake in the complaint is it?

A No sir: no mistake at all - I cannot remember exactly

Q you do not swear then that the 17<sup>th</sup> or 19<sup>th</sup> was the second time?

A One of those days - may be it was the 17<sup>th</sup>.

Q Which is correct - that she came and swore to the complaint on the 7<sup>th</sup> or 19<sup>th</sup>?

A The complaint is correct

Q - do you recollect her paying you \$25? on Nov 19?

A I do not remember.

Q How long after she swore to her complaint before you did you again see Mrs. Lambert?

A When she swore to her affidavits

Q Were they sworn to the same day?

A No, Sir

Q How long after?

A I do not remember exactly, whether it was 10 or 12 - it was before. I am sure the receipt was given for the publication on Dec 10 - it was before this order was given

Q Is your memory good?

A Yes

Q But you cannot recollect dates?

A No.

Q What was on the first day she called she paid \$30?

A Yes

Q When she testifies that she paid you \$25 at that time she is mistaken?

A Yes

Q What did you pay Mr. Levy out of that money?

A \$12 - of which I took \$2 out of my own pocket.

Q How long after?

A Two days after

Q What did you pay Mr. Heintzleman?

A \$10 - on the next day ...

Q Do your books show what you paid Heintzleman?

A That may be

Q It was a partnership matter?

A Yes

Q Then, if you paid Mr. Heintzleman \$10 the books ought to show it?

A I hope so - certainly.

Q - show me the entry in your book between the 7th to the 10th day of November

A It may be it is marked in differently - it may be in items of expense (looking at book) Here are items of \$5 \$3 and \$2, making \$10 on page 61

Q You said you paid him \$10 at his bedside on Nov 8

<sup>10</sup>A Yes sir, I did - a \$10 bill may be it is marked in the book in different sums

Q show me the entry of more than \$5.50 paid to Heintzleman between Nov 7 and Nov. 10?

A I cannot do so without taking into account disbursements for a share of which he was liable.

Q You are still positive about paying him \$ cash although your book does not show it?

A Yes Sir

Q The \$12 that you say you paid Mr Levy should be in that account also?

A No Sir

Q Why did you not put that payment in your book?

A - I did not keep the book after that time - after November

Q Or Mr & you say she paid you \$25?

A She paid \$30.

Q No account of that in the book?

A The book will show

Q out of that money you paid Levy \$10 within two days after is that true?

A Yes

Q at that time Mr. Heintzleman was your partner?

A Yes

Q show me where that appears on your book?

A There is no entry there

Q Then you don't keep a correct account of cash expenditures?

A No - he is not my partner then.

Q On the 8th day of November was he not your partner? Was he your partner when Mrs. Lambert paid you the \$30?

A Yes, Sir. By law he was my partner until this month.

Q I find a record on the 19th day of November Mrs. Lambert paid you \$25. You did keep a memorandum of it?

A If it is in the book.

Q I find an entry of \$12.50 paid to Mr. Levy. Is that true?

A Yes, Sir. That is the second \$12.50

Q - And this \$12.50 does not appear in your cash book at all?

A No, Sir.

Q Why don't it appear?

A May be it is a mistake - I paid \$2 out of my own pocket at the time I paid Mr. Levy out of the first \$30.

Q How many real estate transactions have you had in your lifetime. (Obtained to)

A 100,000

Q How many within the last year?

A Over a hundred

Q How many legal clients did you see, to the best of your recollection while you were a member of the firm of Hewitt, Lewis and Forst; to converse with them?

A About 30 or forty

Q- Did you in each case tell these clients that you were not a lawyer

A In all cases yes

Q In all cases?

A Yes

Q Do you recollect the case of Rosa Levy?

A I never had a case with Rosa Levy

Objected to, and motion by Dft's. Counsel to strike out the answer

Q Do you know a person by the name of Rosa Levy?

Objected to

Q Do you recollect receiving the sum of \$25 from her?

Objected to

A I decline to answer by advice of my counsel

Q Do you recollect receiving \$25 from Rosa Levy upon your representation that you was her counsel, and you promise

to take care of her interests in a case in which she was the plaintiff

Objected to, and not answered.

Q Do you recollect giving a receipt in this form "Received this day from Rosa Levy the sum of \$25 for the purpose of seeing to it that certain matters pending in the supreme court in her case against Wolf Messing brought by her attorney N. S. Levy be argued by him on Tuesday the 30th day of Jan. 1885 and furthermore being present during this proceeding and in the name and case of Rosa Levy, and furthermore to see to it that the proceedings come to a proper conclusion? and did you receive that amount?"

Objected to, and not answered.

Q How many complaints have been made against you for your receiving money upon your representation that you have been a lawyer?

A Not one.

Q Was not that Miss Rosa Levy's complaint?

A No, Sir. I am positive.

Q You did not receive \$25 from her on your representation that you were a lawyer?

Objected to and not answered.

Q What did you take the \$25 for in that case?

Objected to and not answered.

Q Do you recollect the case of Lertz against Lertz?

A Yes.

Q Were you in any way interested in that case?

A No more than I introduced her to Mr. Levy.

Q Are you not now under suit in one of the district courts of the City of New York in a case where you are charged with not paying over money collected by you as attorney?

A No, Sir.

Q Were you not sued for money collected by you?

A No, Sir.

Q Did you tell Mrs. Lambert that she could get a divorce on the facts stated by her?

A She did not state to me any facts at all.

- Q She did not give you any facts at all?
- A No, Sir. She gave facts to Mr Levy herself
- Q You took her \$30 didn't you?
- A Yes; By order of Mr Haarden.
- Q Did Mr. Haarden compel you to take it?
- A No
- Q What did you go to Mr. Levy and pay him \$12.50 for? if she gave you no facts to commence an action with?
- A Mr. Levy stated it.
- Q Did you pay the \$12.50 out of her \$30 to Mr Levy without knowing whether she had a cause of action or not?
- A Certainly
- Q It was not until some time after that you saw Mrs. Lambert again was it?
- A I saw her on the first day that she signed and ~~the~~ Mr. Levy wrote the complaint in my office. Mr. Levy told her to be there at 2 o'clock
- Q That was how long after she had paid the \$30?
- A About a week or 10 days.
- Q Did you take \$25 from her on that day?

A. Mr Levy took it; Mr Levy and she sat down, she put it on a table and Mr. Levy took it - I am positive we received it together - Mr Levy and myself

Q Is that entry in your book?

A We both received it together

Q You put an entry of it in your cash book?

A Yes, Sir

Q And did you read the complaint to her on that day?

A No, Sir

Q Had you seen her before she paid that \$25?

A I had ~~not~~ certainly.

Q Had she paid anything the day she swore to the complaint?

A Yes Sir. That same day she paid \$25. I am positive. I state the same as Mrs Lambert

Q - How much money did you give Heintzleman out of that last \$25?

A Nothing

Q You are positive that Mrs Lambert said she knew you were not a lawyer?

A Yes Sir

Q And when she testifies that you represented to her that you were a lawyer and she believed you were a lawyer that is false?

A Yes.

Q And when Mr. Levy testifies that the facts as taken down by you were given to him to draw the complaint by that is false is it?

A Yes, Sir.

Q You never had a conversation with Mrs. Lambert as to her complaint for adultery, and never talked with her about adultery?

A Never No, Sir; when she came the first time she said he robbed her of money.

Q You are positive that Mrs. Lambert told you that she knew Mr. Heintzleman was the lawyer and that you were not a lawyer?

A Yes. That I am sure of.

Q And when she testifies to the contrary she is mistaken?

A Yes; she says something that is not true.

Q You were present before the referee? A - Yes.

Q You translated from German into English?

A Yes - she understood everything.

Q Are you in business at 200 East 76th Street?

A No, at 1811 Third Avenue - since the 14th day of June 1916 before this proceeding was commenced.

Q Where was your office prior to that?

Objected to

not answered

Q - Is that one of your cards?

Card mailed of "E. C. Levy 21 1116. Op. Steno"

A Yes.

Q - (Receipt attached to the complaint shown to witness) Did Mr. Levy authorize you to sign that receipt?

A Yes Sir

Q - You stated that at the first conversation that you had with Mr. Lambert that certain things took place - was there anything said at that conversation about your being a lawyer?

A I told her right away on that day, before she paid the money. Then she said "I know Mr. Heintzleman the lawyer

is sick, I am informed by  
Mr. Hearder.

Q Why did you give the case to  
Mr. Levy?

A Because Mr. Heintzleman  
was sick

Q By Mr. Dft. Counsel

Q Did Mr. Heintzleman at any  
time write you a letter instructing  
you to employ Mr. Levy?

A Yes

Letter recd "Dft. Et D,  
July 21 1886 Ofc. Gen.

Thomas Nolan, being duly sworn  
deposes and says: I am an  
attorney and counsellor at Law  
my office is at 12 Chambers  
street; I know Mr. Forst the  
defendant only by seeing him  
once or twice. I was appointed  
Referee in the suit of Lambert  
against Lambert

Q Did Mr. Levy here appear  
as Mrs. Lambert's attorney in  
that suit before you?

A Mr. N. S. Levy was Attorney and  
Counsel for Mrs. Lambert

Q Was any evidence taken before

you by Mr. Levy as the  
attorney for plaintiff?

A. Yes, Sir

Q. Who was called as a witness  
for plaintiff?

A. The plaintiff herself.

Q. In answering the questions  
put by counsel were the  
facts stated there correct and  
taken in your handwriting?

A. They are absolutely correct  
and taken in my handwriting

Q. Upon that proceeding did she  
testify that her husband had  
committed adultery with  
another woman?

A. The evidence was that the  
adultery charged in the com-  
plaint was committed by the  
defendant, without her knowledge  
consent or privity or procure-  
ment; that five years had  
not elapsed since the discovery  
of the fact that such adultery  
had been committed; that they  
had not since co-habited - the  
statutory requirements in such  
cases were complied with.

Q. Was the evidence written by  
you and read to the plaintiff  
Mrs. Lambert?

23 A. Yes; read to her.

- Q Did she understand it?
- A Clearly, distinctly, and signed her name to it.
- Q Your acknowledgment appears as referee?
- A Yes, February 21
- Q Mr. Levy appeared as Attorney?
- A Certainly
- Q And you swear that Mrs. Lambert fully understood that hers was a case of a suit for divorce for adultery?
- A Most clearly, distinctly understood it without reservation.
- Q Did any parties appear before you for Mrs. Lambert other than herself?
- A Never. It was a short case. It was adjourned 20 times by letters from Mr. Levy.
- Q Did you at any time have a conversation with Mr. Levy with respect to his securing for you your referees fees?
- A He wrote me a letter saying he would hold himself personally responsible for my fees. This was his letter of May 18. The first day of my work was February 21 1885
- Q Did you meet Mr. Levy frequently from that time to May 18?

A I met him very frequently  
Q Did you ever speak to him about fees for you?

A I did

Q Did he tell you that he had got \$25 from Mrs Lambert for your fees?

A - He never told me anything of that kind - only that he would be responsible for it. He never told me that he got the money, all he said to me was that he would see that my fees were paid

Q Did you make any distinction as to adjournment fees?

A No. I called his attention to the expense he was incurring by the frequent adjournment fees and I think he would say that he would see that my adjournment fees were also paid. I wrote to Mrs. Lambert a letter, directed to the address given in her testimony as to where she resided, and my own address was printed on the outside with a request that it should be returned to me if not delivered to her. I never had it returned and I presume she got it. That was about

January 1886. I told Mr. Levy at the same time that I had written to his client, regarding the case, she never came to see me

Q- In the conversation between you and Mr. Levy as to the fees you were to be received by him was it understood between you that those fees were adjournment fees, or fees for your report?

A I made no distinction and I know nothing about it.

Q What he said about fees was without regard to adjournment fees?

A Yes.

Q Were you ever at any time informed that Mr. Levy had received any referee fees

A Mr. Levy told me so to day himself.

Q That is the first time you heard it?

A I believe Mr. Heintzleman told me when he came in about the case, and asked me whether I got the fees, and I said no.

Q Did Mr. Frost take any part, active or inactive by which he represented himself to you

- or gave you as referee the idea that he was Mrs. Lambert's lawyer?
- A Not at all. I saw that Mr. Levy was her lawyer.
- Q Did Mr. Lambert while before you turn to Mr. Forst as her lawyer, or to Mr. Levy?
- A To Mr. Levy.
- Q The case is still pending in your office?
- A Yes sir.

Case Examined by Mr. Ueffer

- Q Did you put the questions to Mr. Lambert on the day of the first hearing before you?
- Q There was some questions in what we call the prelude put by Mr. Levy. I generally put the statutory questions myself.
- Q Was the question alluding to the adultery put by you?
- A Always.
- Q In the English language translated into German?
- A I could not well tell that the time is so far off.
- Q Do you understand the German language?
- A I understand ordinary expressions. I generally swear an interpreter.

Q- Did Mr. Forst interpret some of the questions?

A- That I cannot recollect

Q- If he so testified would it be true?

A- I could not swear to his veracity.

Q- The question relating to adultery is put in all complaints as the principal cause of action is it not?

A- It is the only cause - it is a statutory provision

Q- You have had a great many adjournments in this case and charged for them?

A- Yes, the statute allows it to me

Q- as part of the referee fees?

A- Yes.

Q- What was the amount of your bill at the time Mr. Hentzelman called upon you?

A- \$60 about - including adjournment fees

Q- Do you know of your own knowledge Mr. Volan that when Mrs. Lambert swore to her testimony before you that she knew she was swearing that her husband had committed adultery?

24 A- Undoubtedly she did.

Q You mean to that as a positive fact?

A I do

Q Did Mr. Heintzelman tell you that he could get no witness to prove the adultery and that therefore the case could not go on?

Objected to

A Mr. Heintzelman and said he had got a substitution. He looked over the testimony. Then he set it down for a certain day. Then he made an excuse and afterwards said he would have to discontinue the action

Q Did he tell the reason?

A He mentioned some reason - that the case was improperly brought

Re-direct

Q You positively mean that Mrs. Lambert understood the tenor and import of this testimony given by her

A Most undoubtedly. She was an intelligent woman and spoke English.

Q Was she examined before you in English?

29 A - She was

- Q - Did she sign it?  
A - That is her signature  
Q - How was the examination taken  
A - Her testimony was written down  
in narrative form  
Q - She was given sufficient time  
to think before giving replies?  
A - Yes, and she swore to it,  
and I think she announced in  
English

N. S. Levy recalled

- Q - Was the testimony of Mr Lambert  
taken by Mr. Nolan, as he has  
stated, in your presence?  
A - It was  
Q - In answer to the questions with  
reference to adultery?  
A - Yes  
Q - You were present when she  
signed it?  
A - Yes  
Q - That is the certificate of A,  
reference?  
A - Yes

Admitted to some date to be  
hereafter agreed upon

**POOR QUALITY  
ORIGINAL**

0003

District Police Court.

vs.  
*Charles Stark*

STENOGRAPHER'S TRANSCRIPT.

188

BEFORE HON.

Police Justice.

Official Stenographer.

**POOR QUALITY ORIGINAL**

0884

Sec. 192:

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Solou B Smith a Police Justice of the City of New York, charging Charles Forst Defendant with the offence of Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We, Charles Forst Defendant of No. \_\_\_\_\_

and Julius Bocher Street; by occupation a \_\_\_\_\_ of No. 48 Delancey Street, by occupation a Furniture Dealer Surety, hereby jointly and severally undertake that the above named Charles Forst Defendant

shall personally appear before the said Justice, at the 2 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Ten Hundred Dollars.

Taken and acknowledged before me, this 17 day of July 1886.

Charles Forst  
J. Bocher

Solou B Smith  
Police Justice

**POOR QUALITY ORIGINAL**

0005

CITY AND COUNTY OF NEW YORK, ss.

*Sworn to before me, this 17th day of July 1881*

the within named Bail and Surety being duly sworn, says, that he is a resident and house holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of stock and fixtures of the Furniture business at no 48 Delancey St. said city and worth Six thousand dollars \$6,000 over all encumbrances.  
J. Bocherh.

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Undertaking to appear during the Examination.*

ss.

Taken the ..... day of ..... 188

Justice.

**POOR QUALITY ORIGINAL**

0005

*N. J. Levy*  
~~LEWIS & CHAS. FORST,~~  
Counsellor at Law and Notary Public.  
333 GRAND STREET.

New York, February 9<sup>th</sup> 1885.

Received from Mrs. Bertha Lambert  
One hundred Dollars for services and  
costs in action Lambert against Lambert.  
\$ 100<sup>00</sup> / 100<sup>00</sup>

N. J. Levy  
Notary Public

POOR QUALITY ORIGINAL

00007

Police Court Second District.

Affidavit—Larceny.

City and County of New York, ss.

Putta Lambert  
of No. 1st Long Island Street, aged 37 years,

occupation Housekeeper being duly sworn

deposes and says, that on the 30th day of October 1884 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the Day time, the following property viz :

Good and lawful money of the United States consisting of bank notes and bills of diverse denominations and values and being together of the value of One hundred Dollars.

the property of Deponent.

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,

and carried away by Charles Forest, for the reason

that about the 30th day of October 1884

Deponent went to the office 333 Grand

Street this city and enquired for one John

R Heigelman a lawyer, when Deponent

was informed by a boy in said office

that said Heigelman was sick, and that

deponent should wait until Mr Forest

would come in. Deponent waited in said

office for about one hour when said

Forest came in, when the boy in said

office told deponent that Mr Forest

deponent went up to said Forest and said

Forest asked deponent what she wanted, when deponent replied she wanted hire

Sworn to before me, this 1884 day of Police Justice.

POOR QUALITY  
ORIGINAL

00000

to see Mr. Heingelman a lawyer about bringing  
an action for divorce against her (deponent's)  
husband. Deponent said Frost told deponent  
that Mr. Heingelman was sick <sup>and that he</sup>  
(said Frost) was a lawyer <sup>and that he</sup>  
could do as much for her as Mr. Heingelman.  
<sup>and that deponent should state her case to him</sup>  
(said Frost) <sup>and as such lawyer wanted bringing</sup>  
her action, Deponent then upon told said  
Frost, that she was influenced by her friends  
that she could obtain a divorce from her  
husband so that she could marry again  
as her husband had left her and she  
had not seen or heard of him for 5 years.  
<sup>and a brief while said Frost told deponent</sup>  
that was the law <sup>and that he (said Frost)</sup>  
could obtain for her (deponent) the said divorce  
on the grounds she stated to him (said Frost.)  
so that deponent could again marry.  
Deponent upon being influenced by said Frost  
of the aforesaid facts, asked said Frost  
how much it would cost her to obtain  
the said divorce from her husband upon  
the grounds already stated, where said Frost  
replied (he said Frost) would get the  
said divorce for her, for Eighty dollars.  
whereupon deponent said to said Frost  
if that is all that it will cost me you  
can commence it, where said Frost  
replied that is all that it will cost  
you <sup>and that will include all the costs</sup>  
and disbursements and every thing, thereupon  
deponent paid said Frost twenty five  
dollars, <sup>and said Frost gave deponent</sup>  
a paper to sign, the contents of which  
deponent does <sup>not</sup> know, nor did she know  
at said time, <sup>and deponent left the said</sup>  
office; about two weeks thereafter  
deponent again called at the office of  
said Frost <sup>and asked him said Frost</sup>  
what he had done in the matter  
where said Frost replied that he had

done everything that was possible for  
him to do for the present. <sup>and</sup> that he  
said Frost would have to advertise  
the summons in the paper <sup>and</sup> that  
would take about six weeks, six weeks.  
Thereafter deponent again went to the  
office of said Frost unless said  
Frost told deponent that she must  
pay for the publishing of the summons.  
<sup>and</sup> that deponent must give him  
fifty dollars which she did <sup>and</sup> then  
left said office, about four weeks <sup>later</sup>  
deponent again called at said office  
<sup>and</sup> saw said Frost. <sup>and</sup> asked him said  
Frost, how her case was getting along <sup>and</sup>  
said Frost replied he was doing all  
that he could. That on the 9th day of  
February 1885 deponent again called on  
said Frost at his request. <sup>and</sup> then  
deponent that she would get her  
divorce in a few days. <sup>and</sup> demanded  
of deponent twenty five dollars more  
which deponent paid, paying to  
said Frost that he said Frost  
agreed to take her case for eighty  
dollars <sup>and</sup> must be charged one  
hundred, when said Frost replied  
he could not do it for any less.  
Deponent is informed by Nathan  
S. Perry a lawyer of 95 Fulton Street  
that on the 10th day of November 1884

POOR QUALITY  
ORIGINAL

0890

said Forest came to him at his office  
then at 230 Broome Street and told  
said Levy that he had a divorce  
case against Charles Lambert and  
that the ground of it was adultery  
and that the said Forest had the  
facts of the case in his (said  
Forest's) office and that he would give  
said Levy the facts so that he  
said Levy would draw the complaint  
and then said Levy \$15.50 Dollars.  
That on the 10th day of November  
1884 said Levy drew the summons  
in said case, and between the 10th  
17th days of November 1884 said  
Forest gave said Levy the facts  
of said case and upon the facts  
given to said Levy by said Forest  
said Levy drew the complaint and  
gave the same to said Forest, which  
said Forest returned to said Levy soon  
to before him said Forest. Depoent  
further says that up to this time  
he had never heard of or knew  
said Levy.

Depoent is further informed  
by said Levy that said Levy told  
said Forest from the statement that  
the said Forest made to him said  
Levy that the husband being away  
he must have the affidavit of

4

deponent <sup>and</sup> a corroborative affidavit  
to apply for an order of publication  
Deponent further says, that between  
the 17th <sup>and</sup> 25th days of November  
1882 she came to the office of said  
Levy with another lady <sup>and</sup> that said  
Levy drew two affidavits, one which  
she signed <sup>and</sup> the other <sup>the attorney signed</sup>  
Deponent is further informed that  
on the 25th day of November 1882  
the said order of publication was  
signed. Deponent further says  
that five or six weeks thereafter she  
again called at the office at the  
office of said Levy <sup>and</sup> not finding  
said Levy in, went to the office  
of said Forst <sup>and</sup> paid him said  
Forst the fifty dollars already mentioned  
that deponent is informed by said Levy  
that said Forst denied receiving the  
said fifty-dollars from deponent but  
afterwards admitted to said Levy that  
he did. Deponent further says that  
when she paid said Forst on the 9th  
day of February the remaining twenty  
five dollars said Forst gave deponent  
the receipt hereto annexed, as a  
receipt in full for all that this  
deponent paid him.  
Deponent is further informed  
by said Levy that at no time

gone the power or authority to said Fort  
to sign his name to any receipt

Deponent further says that all  
the conversations she had with said  
Fort were had in German, and that  
she employed said Fort believing him  
to be a lawyer, and that she had  
no transactions with said Levy and  
that she never employed said Levy  
in any way or manner.

Deponent therefore charges said  
Fort with having obtained from  
her the aforesaid property by false and  
fraudulent representations, and that at  
no time did she tell said Fort that  
she desired to be divorced from her  
husband upon the ground of adultery.  
Deponent is further informed by the  
said Levy that said Fort was <sup>not</sup> an  
attorney or  
counselor at law, wherefore deponent  
prays that said Fort may be appre-  
hended and dealt with as the law  
in such case mode & provided.

Sworn to before me }  
this 16th day of July 1886 } Lucile Lambert  
Solon Smith

Justice

**POOR QUALITY ORIGINAL**

0093

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 38 years, occupation Walter S Levy of No.

75 Ludlow Street, being duly sworn deposes and

says that he has heard read the foregoing affidavit of Per the Lambert

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 16<sup>th</sup>

day of July 1888

W S Levy

Colon B. Smith

Police Justice.

**POOR QUALITY ORIGINAL**

0094

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*Charles Forsh*

being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question What is your name?

Answer *Charles Forsh*

Question. How old are you?

Answer *49 years old*

Question. Where were you born?

Answer. *Germany*

Question. Where do you live, and how long have you resided there?

Answer. *312 E. 81<sup>st</sup> St 2 mos*

Question What is your business or profession?

Answer. *Real Estate dealer*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty and waive further examination  
Charles Forsh*

Taken before me this *15* day of *June* 188*8*  
*[Signature]*

Police Justice.

**POOR QUALITY ORIGINAL**

0095

Sec. 151.

*Freed*  
District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss *In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by *Bertha Lambert*

of No. *Victoria Long Island* Street, that on the *30th of October 1887* day of *and February 1888* 1888 at the City of New York, in the County of New York, the following article to wit:

*Good and lawful money of the United States consisting of bank notes & bills of various denominations of various values and being*  
of the value of *One hundred* Dollars,  
the property of *Reponent*  
was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by *Charles Ford*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the *2d* DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *16th* day of *May* 1888  
*Soldan* POLICE JUSTICE.

POLICE COURT. DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated \_\_\_\_\_ 1888

Magistrate

Officer

The Defendant

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer

Dated \_\_\_\_\_ 1888

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, \_\_\_\_\_

Native of \_\_\_\_\_

Age, \_\_\_\_\_

Sex \_\_\_\_\_

Complexion, \_\_\_\_\_

Color \_\_\_\_\_

Profession, \_\_\_\_\_

Married \_\_\_\_\_

Single, \_\_\_\_\_

Read, \_\_\_\_\_

Write, \_\_\_\_\_

POOR QUALITY ORIGINAL

0096

July 21. 10 am

23- 9 30  
" 28 9 30

Bohert

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

1174330 1580  
Police Court 5th District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles J. Bohert  
Charles J. Bohert  
Charles J. Bohert

1  
2  
3  
4

Offence

Dated

July 16th. 1886

Magistrate.

Officer.

Precinct.

Witnesses

No. 75 Sulzbart

No. Street.

No. Street.

\$ 1000 to answer

Charles J. Bohert

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Charles J. Bohert

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Four Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated

July 15 1886

Solomon B. Smith Police Justice

I have admitted the above-named

Charles J. Bohert

to bail to answer by the undertaking hereto annexed.

Dated

July 15 1886

Solomon B. Smith Police Justice

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order he to be discharged.

Dated

188

Police Justice.

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Charles Forst

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself, but for the reasons that I ~~think~~ <sup>am</sup> ~~I might have been interested~~ as to the defendant representing himself to me as my lawyer, for the fact is that Mr Levy performed all those functions. Deponent further says that whatever expenses she had been put to in commencing said suit against her husband has been refunded and restitution has been made, and the further fact that her husband not having been heard from in over the statutory time, she now commences another action for the annulment of her marriage. Deponent further says that the money which she paid to Mr Forst (defendant) and Mr Levy counsel having been refunded, will be ample for her to commence another action against her said husband and which will terminate in deponent's best opinion in her favor and will therefore be able to accomplish what the defendant intends to accomplish.

Dated New York 7/1887

Lumber Lumber

Witness:  
A. W. Parker

**POOR QUALITY ORIGINAL**

0098

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles East*

The Grand Jury of the City and County of New York, by this indictment, accuse

*— Charles East —*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Charles East,*

late of the First Ward of the City of New York, in the County of New York aforesaid on the *ninth* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms,

*divers promissory notes for the  
payment of money, & a number,  
kind and denomination to the  
agent of said defendant, and  
for the payment of and of  
the value of one hundred  
dollars;*

of the goods, chattels and personal property of one

*Bartholomew East,*

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*Randolph B. Smith*

District Attorney.

0899

**BOX:**

240

**FOLDER:**

2342

**DESCRIPTION:**

Flynn, Daniel

**DATE:**

12/07/86



2342

POOR QUALITY ORIGINAL

0900

No 18

Counsel,  
Filed Dec 7 day of Dec 1886

Plead: *Chiquity (A)*

THE PEOPLE

vs.

*Daniel Flynn*  
*12-20-86*

*R.D.*

RANDOLPH B. MARTINE,  
District Attorney.

*Registered in the Second Degree,  
Sections 403, 506, 528 and 550*

Witnesses:

*Officer Martin Campbell*

A True Bill.

*J. W. Connelock*  
Foreman  
*Dec 16/86*  
*Pleno P. Dwyer*  
*Seven of Garb. St.*

**POOR QUALITY ORIGINAL**

0901

Police Court— 4<sup>th</sup> District.

City and County }  
of New York, } ss.:

Robert Laugnar

of No. 1162 First Avenue Street, aged 18 years,

occupation Clerk in a Grocery being duly sworn.

deposes and says, that the premises No 1162 First Avenue Street,  
in the City and County aforesaid, the said being a Tenement dwelling house

a Bed room on the 2<sup>d</sup> floor of  
~~and~~ which was occupied by deponent as a Sleeping room

and ~~on~~ said floor there was at the time a human being, by name

Peter Halloran and his wife Ellen Halloran  
were **BURGLARIOUSLY** entered by means of ~~force~~ climbing up the  
Fire Escape on the rear of said house and forcibly opening  
the window leading into the kitchen on the second floor  
and afterwards entering the room next to the kitchen  
which deponent occupied as a Bed room

on the 30<sup>th</sup> day of November 1886 in the night time, and the

following property feloniously taken, stolen, and carried away viz:

One double Cased Silver Watch, One Over Coat,  
One pair of Pants and One Cloth Suit,  
all of the value forty five dollars \$45<sup>00</sup>/<sub>100</sub>

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
**BURGLARY** was committed and the aforesaid property taken, stolen, and carried away by

Daniel Flynn alias Edward Curry (nowhere)

for the reasons following, to wit: That on said night deponent securely  
fastened the doors and windows of said premises  
that at about 4 o'clock on the morning of the 1<sup>st</sup> day  
of December 1886 when deponent got up he saw the  
window open leading into the kitchen and then  
discovered that the property described aforesaid  
had been feloniously stolen. That deponent was  
informed by neighbors of No. 1164 First  
Avenue in said City that the said defendant

POOR QUALITY ORIGINAL

0902

gave him the clothing described aforesaid to pawn for him and he was further informed by officer Hugh Martin of the 28<sup>th</sup> Precinct Police that he said Lacey acknowledged to him that he pawned the said clothing for him defendant and that he said defendant pawned the watch and gave the ticket of the watch to him said Lacey and that he said Lacey had both Pawn Tickets in his possession when arrested by said officer Martin and that defendant fully identifies said property as that of the Defendant further that he was further informed by Carrie Thomas of No 93 Third Avenue that he said defendant brought said property to her house on the morning of the 1<sup>st</sup> day of December 1886.

He there fore charges the said defendant from the aforesaid information with the commission of said Burglary.

Sworn to before me this  
 3<sup>rd</sup> day of December 1886  
 Robert Langner  
 Police Justice

Police Court \_\_\_\_\_ District \_\_\_\_\_

THE PEOPLE, & c.,  
 ON THE COMPLAINT OF

Degree \_\_\_\_\_

Burglary \_\_\_\_\_

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Magistrate \_\_\_\_\_

Officer \_\_\_\_\_

Clerk \_\_\_\_\_

Witnesses: \_\_\_\_\_

Committed in default of \$ \_\_\_\_\_ Bail \_\_\_\_\_

Bailed by \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

**POOR QUALITY ORIGINAL**

0903

CITY AND COUNTY }  
OF NEW YORK, } ss.

Carrie Thomas

aged 39 years, occupation House Keeper of No.

93 3rd Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Robert Laguer

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

5th  
day of December 1883

Carrie Thomas

Soldou B. Smith  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Henry Martin

aged 40 years, occupation Police officer of No.

the 28th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Robert Laguer

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

5th  
day of December 1883

Henry Martin

Soldou B. Smith  
Police Justice.

**POOR QUALITY ORIGINAL**

0904

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 19 years, occupation Painter of No. 1164 1<sup>st</sup> Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Robert Lagnev and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 5<sup>th</sup> day of December 1888 } Augustus Lakey

Solomon B. Smith  
Police Justice.

**POOR QUALITY ORIGINAL**

0905

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Daniel Flynn* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer. *Daniel Flynn*

Question. How old are you?

Answer. *24 Years*

Question. Where were you born?

Answer, *New York*

Question. Where do you live, and how long have you resided there?

Answer. *387 3rd Ave New York*

Question. What is your business or profession?

Answer, *Compositor*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I am not guilty*  
*Daniel Flynn*

Taken before me this  
1888  
Police Services

POOR QUALITY ORIGINAL

0905

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court *H. W. District.*

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

*Robert Seeger*  
*116 24th Street*  
*Daniel Flynn*  
*alias Edward Leury*

Offence *Burglary*

Dated *December 5th* 188*6*

*John J. Smith* Magistrate.  
*Mayor* Officer.

Witnesses *John J. Smith* Precinct.  
*John J. Smith*

*John J. Smith*  
 No. 116 24th Street.  
*James Turner*  
 No. 100 23rd Street.

*100 23rd Street*  
*Robert Seeger*  
*116 24th Street*  
*Robert Seeger*  
*116 24th Street*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

*Daniel Flynn alias Edward Leury*  
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Ten* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *December 5th* 188*6* *John J. Smith* Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188\_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188\_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0907

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David E. Ryan

The Grand Jury of the City and County of New York, by this indictment, accuse

David E. Ryan

of the CRIME OF BURGLARY IN THE SECOND DEGREE, committed as follows:

The said David E. Ryan,

late of the Nineteenth Ward of the City of New York, in the County of New York aforesaid, on the Thirtieth day of November, in the year of our Lord one thousand eight hundred and eighty-six, with force and arms, about the hour of Twelve o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Robert Sawyer.

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: the said Robert Sawyer,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Robert Sawyer.

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away;

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

**POOR QUALITY ORIGINAL**

0900

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*— Daniel T. Ryan —*

of the CRIME OF GRAND LARCENY IN THE *Third* DEGREE, committed as follows :

The said *Daniel T. Ryan,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *month of* time of the said day, with force and arms,

*one watch of the value of twenty  
dollars, one sweater of the value  
of fifteen dollars, two pairs of  
trousers of the value of ten  
dollars each pair, one coat of  
the value of ten dollars, and one  
pair of the value of four dollars.*

of the goods, chattels and personal property of one

*Robert Sawyer,*

in the dwelling house of the said

*Robert Sawyer,*

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**POOR QUALITY ORIGINAL**

0909

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*- David E. Ryan -*

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *David E. Ryan,*

late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms,

*one watch of the value of twenty  
dollars, one percent of the value  
of fifteen dollars, two pairs of  
trousers of the value of seven  
dollars each pair, one coat of  
the value of ten dollars, and  
one vest of the value of four  
dollars.*

of the goods, chattels and personal property of one

*Robert Sawyer.*

by ~~a certain person~~ persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

*Robert Sawyer.*

unlawfully and unjustly, did feloniously receive and have; the said

*David E. Ryan.*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**